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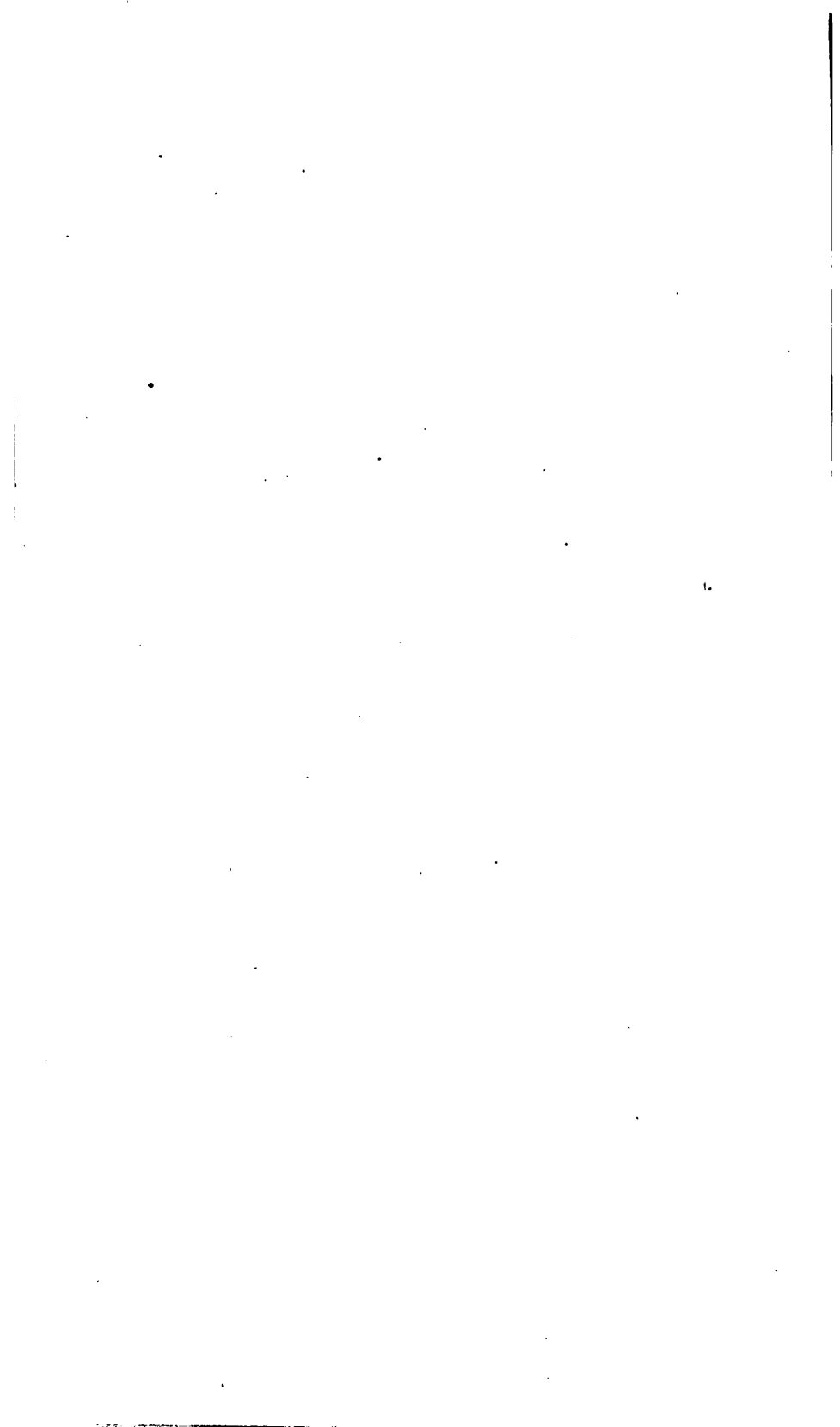
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Southern Caroline Collection







ACTS AND JOINT RESOLUTIONS
OF THE
GENERAL ASSEMBLY

OF THE
STATE OF SOUTH CAROLINA,
= Laws, Ordinances, etc.

PASSED AT THE
REGULAR SESSION OF 1871-'72.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO
FORM A PART OF THE FIFTEENTH VOLUME OF THE STATUTES
AT LARGE, COMMENCING WITH THE ACTS OF 1871-'72.

COLUMBIA, S. C.:
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1872.

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ACTS OF THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

Passed at the Regular Session, which was begun to be held at the city of Columbia, on the fourth Tuesday in November, A. D. 1871.

ROBERT K. SCOTT, Governor. ALONZO J. RANSIER, President of the Senate. FRANKLIN J. MOSES, Jr., Speaker of the House of Representatives.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE PER DIEM AND MILEAGE OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS, AND OTHER EXPENSES INCIDENTAL THERETO.

A. D. 1871.

No. 1.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one hundred thousand dollars, if so much be necessary, be, and is hereby, appropriated out of any money in the Treasury, for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other incidental expenses of the present session, commencing November 28, 1871.

One hundred thousand dollars appropriated for payment of expenses of present session.

SEC. 2. That the sum of one hundred thousand dollars, if so much be necessary, be, and is hereby, appropriated for the payment of any outstanding pay certificates for the per diem and mileage of the members of the General Assembly, at its session, ending March 7, 1871, including all certificates given to subordinate officers for services connected therewith: *Provided*, That the above appropriation shall be used for no other purpose.

One hundred thousand dollars appropriated for payment of outstanding certificates of last session.

SEC. 3. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish

Certificates—by whom furnished.

A. D. 1872.

to each member of their respective bodies a pay certificate for the amount of the mileage and per diem, to include such dates as the General Assembly shall, by concurrent resolution, direct.

By whom
certified and
attested.

SEC. 4. That such certificate shall conform to the provisions of Section 23, Article II, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

Pay of sub-
ordinates and
employees—
how fixed.

SEC. 5. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with certificates of pay, in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: *Provided, however,* That their pay certificates, for services rendered common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Treasurer au-
thorized to
pay expenses
at his coun-
ter.

SEC. 6. That the Treasurer is hereby authorized and directed to pay the said certificates at his counter, and to hold the certificates as his vouchers therefor; and he is also authorized and required to retain in the Treasury office all moneys from incoming taxes.

SEC. 7. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 21, 1871.

No. 2.

AN ACT TO INCORPORATE THE TOWN OF MIDWAY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the Town of Midway, shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be called and known by the name of Midway; and its limits shall be deemed and held to extend four hundred and fifty yards in each direction from the present railroad depot in said town.

Corporate
limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the fourth Monday in March next, on which day, as well as on the fourth Monday of March of each year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United

States, and shall have been residents of said town for sixty days immediately preceding said election, at such places in said town as the Intendant and Wardens shall designate, ten days' public notice thereof being previously given, in writing; and that all male inhabitants of said town, of the age of twenty-one years, who shall have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from nine o'clock in the morning until three o'clock in the afternoon, when the polls shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint the Managers to hold the ensuing election. That the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of Midway, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes of my appointment: So help me God."

As D. 1872.

Electors.

Election.

Oath of office.

SEC. 3 That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice thereof, as aforesaid, being given; and in the case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Vacancies—how filled.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, in matters civil and criminal, within the limits of said town. That the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Midway; and they and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many persons to act as Marshals and Constables, as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain

Judicial powers.

Marshals—jurisdiction and duties. •

A. D. 1872.

Rules and
by-laws.

and establish all such rules and by-laws and ordinances respecting the streets, ways, public well, and watering places, market and police of the said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars. All fines may be recovered by an action for debt before a proper tribunal.

Nuisances.

SEC. 5. That the said Council shall have power to abate and remove nuisances within the limits of said town; and also to classify and arrange the inhabitants liable to public duty, and to require them to perform such duty as occasion may require, and to enforce the performance thereof under the same penalties as are now, or may hereafter be, established by law: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with persons liable to perform such duty, upon such terms as they shall, by ordinance, establish.

Streets and
ways.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways, which may be necessary for public use, within the limits of the said town, open and in good repair, and, for that purpose, they are hereby vested with all the powers, rights and privileges granted by law to the County Commissioners, within the limits of said town, and, for any neglect of duty, they shall be liable to the pains and penalties imposed by law upon County Commissioners for like neglect; and they are hereby, individually, exempt from the performance of road and police duty; and the inhabitants of said town are hereby exempt from road and police duty without the limits of said corporation.

Commutation

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said streets and ways, and to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the said corporation.

May hold and
dispose of
property.

SEC. 8. That the said Town Council of Midway shall also be empowered to retain, possess and enjoy all such property as they may now be possessed of, or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien, or in any way transfer the same, or any part thereof: *Provided,* The amount of property so held, or stock invested, shall, in no case, exceed fifteen thousand dollars.

Annual tax.

SEC. 9. That the said Town Council of Midway shall have power to impose an annual tax on all real and personal property within the corporate limits of said town: *Provided,* Said tax does not exceed ten cents on the one hundred dollars.

SEC. 10. That the Intendant and Wardens of the Town of Midway shall have power to regulate sales at auction, within the limits of said town, and to grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by Sheriffs, Clerk of Court, Judge of Probate, Coroner, Executors, Administrators, Assignees, or by any other person, under the order of any Court or Trial Justices.

A. D. 1872.

Sales at auction.

SEC. 11. That the Intendant and Wardens of the Town of Midway shall have power and authority to require all persons owning a lot or lots, in said Town of Midway, to keep in repair the sidewalks adjacent to their lots, respectively; and, for default in this matter, shall have power and authority to have the work done at the expense of such lot owners.

Sidewalks.

SEC. 12. That the power to grant or refuse licenses to keep a tavern, or to retail intoxicating drinks, be, and the same is hereby, vested in the Town Council of the Town of Midway; and that they be also invested with all necessary power, by ordinance, or ordinances, to suppress or regulate the sale of intoxicating drinks, to be drunk at the place where sold, or in or upon any of its appurtenances, or in or upon any of the highways, streets, lanes, alleys, commons, kitchens, stores, public buildings, booths, stalls, or out-houses of the said town, or within one-fourth of a mile of the present railroad depot, in the town of Midway, in the County of Barnwell: *Provided*, That no rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. That this Act shall be taken and deemed as a public Act in all Courts of Justice, and shall continue of force for the term of fourteen years from its passage.

Approved January 8, 1872.

AN ACT TO MORE EFFECTUALLY PROVIDE FOR THE RECORDING OF ALL CONVEYANCES OF REAL ESTATE.

No. 3.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That every conveyance of real estate, within this State, hereafter made, shall, within thirty-three days, be recorded in the office of the Clerk of the County in which such real estate shall be situated, except in the County of Charleston, where all such conveyances shall be recorded, within the same time, in the office of the Register of Mesne Conveyance; and every such conveyance, not so recorded, shall be

Conveyances to be recorded within thirty-three days, in Clerk's office.

Conveyances in Charleston County to be recorded in office of Register of Mesne Conveyance.

A. D. 1872.

Conveyances
not so record-
ed, void.

void, as against any subsequent purchases, in good faith, and for a valuable consideration, of the same real estate, or any portion thereof: *Provided*, Such subsequent purchaser shall have first recorded his said conveyance.

Clerks of
Counties to
provide dif-
ferent sets of
books.

SEC. 2. Different sets of books shall be provided by the Clerks of the several Counties for the recording of deeds and mortgages; in one of which sets, all conveyances, absolute in their terms, and not intended as mortgages, or as sureties in the nature of mortgages, shall be recorded; and in the other set, all such mortgages, or sureties in the nature of mortgages, shall be recorded.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved January 8, 1872.

No. 4. AN ACT TO INCORPORATE THE HUNTOON CHEMICAL AND SOAP COMPANY, OF SOUTH CAROLINA.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Nash, S. A. Swails, L. Wimbush, William Simons, H. W. Purvis, J. E. Green, Anson W. Thayer, H. H. Montgomery, John B. Dennis, Edward Mickey, James Davis, B. A. Nerland, John Bates, Timothy Hurley, A. H. Monteith, C. D. Hayne, R. H. Cain, S. B. Thompson, H. H. Hunter, W. H. Jones, J. N. Hayne, J. Mobley, John Meade, W. J. Whipper, S. Farr, B. A. Bosemon, M. J. Callan, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the "Huntoon Chemical and Soap Company," for the purpose of manufacturing chemicals and soap, and disposing of the same, and for the purpose of carrying on such other business as may be connected therewith, with a capital of one million dollars, in shares of one hundred (100) dollars each, with the privilege of establishing its principal office in the city of Charleston, and a branch establishment at Columbia.

Title.

Purpose of corporation.

Capital.

Rules and
regulations.

Powers and
privileges.

SEC. 2. That said Company shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for their government and direction, and shall have power and authority to make by-laws, (not repugnant to the laws of the land;) to make, have and use a common seal, and the same to alter at will; to sue and be sued in any Court in this State; to

purchase and hold any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the purposes for which said Company is established.

A. D. 1872.

SEC. 3. This corporation shall enjoy all the privileges that are awarded under the general laws of the State to any corporation, together with the special privileges accorded by this charter.

Approved January 8, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF UNION.

No. 5.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all and every person or persons whatsoever, who are constitutionally qualified to vote for members of the Legislature of this State, and who may have resided within the present corporate limits of the town of Union sixty days, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Corporators.

SEC. 2. That the said persons, and their successors, shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Union, and its corporate limits shall extend one mile, in the direction of cardinal points, from the Spartanburg and Union Railroad Depot, in said town, as a centre, and form a square.

Corporate limits.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday of September in each year, ten days' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors; and that all male inhabitants of said town, who shall have attained the age of twenty-one years, and resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

Electors.

SEC. 4. That the election of Intendant and Wardens of the said town shall be held in some convenient public place in said town, from nine o'clock in the morning until six o'clock in the afternoon; and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens, for the time being, shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take an oath

Election.

Managers.

A. D. 1872.

Oath of office.

fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Union, I will equally and impartially, to the best of my ability, execute the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God."

Vacancy.

SEC. 5. That in case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation or otherwise, an election to fill such vacancy shall be held, by the appointment of the Intendant and Warden, or Wardens, as the case may be, fifteen days' previous notice being given; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act as Intendant during the time.

Judicial powers.

SEC. 6. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, within the limits of the said town; and the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Union; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded, in any Court of law or equity in this State; and purchase, hold, possess and enjoy, to them, and their successors, in perpetuity, or for any term of years, any estate, real or personal, or mixed, and sell, alien and convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, market, commerce, trade, buildings and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same. And the said Council may fix and impose fines and penalties and imprisonment in the County jail for the violation thereof, and appropriate the fines to the public use of the said corporation: *Provided*, That no fine shall exceed fifty dollars for any one offense, and no imprisonment shall exceed twenty days; and when any person shall be charged with an

General powers.

Fines.

offense, for which a fine of more than twenty dollars is ordained, the said charge will be heard and determined in an action of debt, to be brought in the name of the said Town Council, for the recovery of said fine, before a Court, having jurisdiction of causes of action of that amount, for Union County. And if the fine ordained be not more than twenty dollars, or the offense be one for which imprisonment is ordained, the said Town Council, or a quorum thereof, shall have power to hear and determine the said charge, and render judgment therein. In all cases of trials to be had before the said Town Council, as hereinafter provided, the party charged shall be cited to trial by a service upon him of a summons, under the hand of the Intendant, or any one of the Wardens, wherein shall be expressed, with certainty, the offense charged, and the time and place of trial, which service shall be made at least five days before the day of trial.

A. D. 1872.

SEC. 7. That all fines imposed by the said Town Council, for any violation of ordinances or any default in the performance of street duty, shall be collected by a *fieri facias*; and the said Town Council shall have power to procure and compel the attendance of witnesses by process similar to that which, by law, Magistrates may use in the trial of small and mean causes.

SEC. 8. That the Intendant and Wardens of said town shall have full and only power, to grant or refuse licenses for billiard tables, to keep tavern, or retail spirituous liquors, within the said limits, which licenses shall be granted in the same manner, and upon the same conditions, as they now are, or may hereafter be, under the laws of the State; and all the powers vested in the County Commissioners are hereby granted to the said Intendant and Wardens within the said limits; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, within said limits, without licenses, shall be appropriated to the public uses of the said corporation: *Provided*, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any license to keep a tavern or to retail spirituous liquors to extend beyond the term for which they shall have been elected.

Licenses.

SEC. 9. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways, within their corporate limits, open and in good repair; and, for that purpose, they are invested with all the powers granted to the County Commissioners. They shall also have power to levy a tax upon the property of said town to keep the buildings in said town for educational purposes in repair. And they shall also have power to compound with all persons liable to work the streets, ways and roads in said town,

Roads and streets.

A. D. 1872.

License fees.

**Annual Tax-
ation.**

Assessments.

Executions.

Sidewalks.

upon such terms as they shall, by ordinance, establish ; the money so received to be applied to the public use of the said corporation. And all persons refusing or failing to pay such commutation shall be liable to such fines and penalties as the said Town Council may impose. And no person, residing within the said limits, shall be liable to work on any road or bridge without the said limits, or be taxed or assessed for the same. The said Town Council shall have power to require license fees from the keepers of ten-pin alleys, or any other pin alleys, and to grant or refuse licenses for the same, upon such terms and conditions, and subject to such regulations, as they may, by ordinance, establish. They shall also have power to require license fees from itinerants, auctioneers, owners of public drays, wagons, livery stables, vehicles and horses kept for hire, within the corporate limits of said town. They shall also have power to impose an annual tax upon the property in said town, to wit: Upon all real estate, not exceeding ten cents on the value of one hundred dollars; upon all stock in trade, not exceeding ten cents on every hundred dollars' worth of the value of said stock—the State assessment to be taken as the basis of taxation. And the said Town Council shall have power to enforce the payment of all taxes and assessments levied by the said Council against the property and persons of defaulters to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal or other person specially appointed by the said Council to collect the same; and the money so collected shall be applied to the public uses of the said corporation. And all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment thereof, in preference to all other debts due by the person owning the property at the time of the assessment, except debts due the State, which shall be first paid.

SEC. 10. That the said Town Council shall have power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front on, or adjoin, any public street of said town, if, in the judgment of the Council, said sidewalk shall be necessary; the width thereof, and the manner of construction, to be designated and regulated by the said Council; and for default or refusal, after reasonable notice, to make and keep in repair such sidewalks, the Town Council may cause the same to be made, or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to

sue for and recover the same: *Provided*, That such contract for making or repairing be let to the lowest bidder.

A. D. 1872.

SEC. 11. That the Intendant and Wardens shall have power, and are hereby authorized, to elect or appoint one or more Marshals, who shall be duly sworn in and invested with all the powers Constables now have by law, and whose jurisdiction and authority shall be confined to the corporate limits of said town; and the Intendant and Wardens, or any one or more of them, are hereby authorized to require the Marshal of said town, or any special Constable appointed by said Intendant and Wardens for that purpose, to commit to the jail of Union County, for a term not exceeding twenty-four hours, any person who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them. And all persons so imprisoned shall pay all costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine which the Council may impose for the offense for which he may have been committed.

Marshals.

SEC. 12. That said Council shall have power to collect licenses from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purpose of said corporation.

Plays.

SEC. 13. That all fines which shall hereafter be collected, by conviction in the Court of Sessions, for retailing, without license, within the corporate limits of said town, shall be paid one-half to the informer, and the other half to the said Town Council, for the use of the said corporation.

Disposition of fines.

SEC. 14. That the said Council shall have full power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty: *Provided*, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars.

Nuisances.

Board of Health.

SEC. 15. That all streets, hereafter to be opened in the said corporation, shall be at least sixty feet wide, except when such width cannot be allowed on account of permanent buildings erected, or in course of erection, at the time of the opening of said streets.

Width of streets.

SEC. 16. That each Town Council shall, within one month after the expiration of their term of office, make out and return to their

Final settlement.

A. D. 1872.

successors a full account, under oath, of their receipts and expenditures during their term, and shall pay over all moneys in their hands, belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and on failure so to do, they shall be liable to the punishment prescribed in the seventeenth (17th) Section of this Act.

Violation or
neglect of
duty.

SEC. 17. That, for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to imprisonment and fine, not exceeding one hundred dollars, or imprisonment, not exceeding sixty days, or both, at the discretion of the Court, besides being liable for damages to any person injured.

SEC. 18. That this Act shall be a public Act, and continue of force for twenty years, and until the end of the session of the Legislature then next ensuing; and that all Acts and parts of Acts heretofore passed, inconsistent with, or repugnant to, this Act, be, and the same are hereby, repealed.

Approved January 8, 1872.

No. 6. AN ACT TO AMEND SECTION TWO HUNDRED AND SEVENTY-NINE OF THE CODE OF PROCEDURE OF THE STATE OF SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two hundred and seventy-nine of the Code of Procedure be amended by striking out the word "second," from the first line of said Section.

Approved January 8, 1872.

No. 7. AN ACT TO INCORPORATE THE MOUNTAINEER FIRE ENGINE COMPANY, OF WALHALLA, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Corporators. Korber, John Dale, A. Brennecke, S. S. Smeltzer, Martin Ansel, P. Hoyt, H. Stucke, Jacob Schroder, Jr., Jas. Watson, and their successors in office, shall be known by the name and style of the

Mountainer Fire Engine Company, of Walhalla, South Carolina, be, and they are hereby, created and constituted a body corporate and politic, with a capital stock not to exceed the sum of five thousand dollars, with the right to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will and pleasure; and with all the rights, privileges and immunities that are now, or hereafter may be, secured by law to like incorporated bodies.

A. D. 1872.

Title.

Capital stock.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and shall remain in force for the term of fourteen years.

Approved January 8, 1872.

AN ACT TO VALIDATE THE ACTION OF THE COUNTY COMMISSIONERS OF OCONEE COUNTY IN EXCHANGING AND CONVEYING THE LOT CEDED TO THEM TO BUILD A JAIL UPON.

No. 8.

Whereas the County Commissioners of Oconee County, in the exercise of their discretion, changed the location of the jail for said County, and exchanged the lot ceded to the State for the purpose of erecting a jail for the one on which the jail now stands; and whereas the parties with whom the exchange was made have sold the said lot to Joseph J. Norton, and the said County Commissioners have executed titles to him; now, therefore,

Location of jail changed, and lot exchanged.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the action of the County Commissioners aforesaid be, and the same is hereby, validated, and the title of the State to the said lot conveyed to and confirmed in the said Joseph J. Norton, his heirs and assigns forever.

Action of County Commissioners validated.

Title to lot confirmed.

Approved January 8, 1872.

AN ACT TO INCORPORATE THE YOUNG MEN'S AFRICANUS DEBATING CLUB.

No. 9.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. A. Davis, R. W. Givens, R. S. Robertson, F. J. Pugh, R. Nesbit, N. Lewis,

Corporators.

A. D. 1872.

Title.

Powers and
privileges.May hold and
dispose of
property.Capital limi-
ted.

A. Lathan, J. C. Finley and B. F. Dennis, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Young Men's Africanus Debating Club, situated in the city of Charleston.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members, according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to, or purchased by, it; and to sell, convey or mortgage the same, or any part thereof, at will.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets or any property which it may acquire, in such real and personal property, bonds, stocks, or in securities, in such sums, and on such terms and conditions, as it may deem proper; and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held or owned by said corporation shall not exceed twenty-five thousand dollars.

SEC. 4. This Act to continue in force during fifteen (15) years, and may be given in evidence without being specially pleaded.

Approved January 8, 1872.

No. 10. AN ACT TO RENEW THE CHARTER OF STRAWBERRY FERRY, OVER THE COOPER RIVER.

Strawberry
Ferry. Char-
ter renewed.In whom
vested.Powers and
privileges.

Rates of toll.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the ferry over the Cooper River, known as Strawberry Ferry, be, and the same is hereby, renewed for the term of seven years, from and after the passage of this Act; and the same is hereby vested in Mrs. Elizabeth Waring, her executors, administrators and assigns, subject to like powers, privileges and limitations as were formerly conferred upon the owner of said ferry by law: *Provided, however*, That the following rates of ferriage only shall be charged and collected, to wit: For foot passengers, each, ten cents; horses, each, ten cents; one horse, with buggy, wagon, or cart, and driver, fifty cents; two horses, with carriage, wagon, and driver,

seventy-five cents; cattle, ten cents, each, long ferriage; short ferriage to be one-half the above rates.

A. D. 1872.

SEC. 2. All persons attending public meetings and elections, and children going to and coming from school, shall be carried free.

Approved January 8, 1872.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GEORGETOWN. No. 11.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of the charter of the town of Georgetown as determines the day of election be, and the same is hereby, amended so as to fix the day of election of Intendant and Wardens of the town of Georgetown on the first Monday in April, eighteen hundred and seventy-two, (1872,) and on the first Monday of the same month in every year thereafter; said election to be held in some convenient public place in said town, from eight o'clock A. M., until five o'clock P. M.; and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, That the Intendant and Wardens now in office shall continue therein until their successors are elected and qualified.

Time and place of election fixed.

SEC. 2. That all laws now of force in relation to the election of Intendant and Wardens, except so far as hereby repealed, be and continue in force.

SEC. 3. That the Intendant and Wardens of the said town of Georgetown are hereby vested with all the power and authority over the poor within the town of Georgetown which, by the law, now belong, or may hereafter belong, to the County Commissioners of Georgetown County over the poor of said County. And, for the purpose of raising funds to provide for the comfort and support of the said poor, the said Intendant and Wardens may assess and collect a poor tax on the taxable property of the said town, in the same manner as they assess and collect taxes thereon for the support of the government of the town: *Provided*, That said tax shall not exceed ten (10) per cent. on the amount of taxes therein paid to the said town: *Provided, further*, That the tax payers of the said

Power and authority over the poor.

Tax for support of the poor.

A. D. 1872.

town of Georgetown shall not be taxed for the support of the poor outside of the corporate limits of said town.

Approved January 8, 1872.

- No. 12. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE CERTAIN TOWNS AND VILLAGES, AND TO RENEW AND AMEND CERTAIN CHARTERS HERETOFORE GRANTED."

Honea Path,
charter
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted," and approved at the session of the General Assembly, 1855, in so far as relates to the town of Honea Path, in Anderson County, be so amended as to confer upon the said corporation all the privileges, rights and immunities now enjoyed by the town of Anderson, in accordance with their amended charter.

SEC. 2. All Acts and parts of Acts inconsistent thereto be, and the same are hereby, repealed.

Approved January 31, 1872.

- No. 13. AN ACT TO AMEND AN ACT (No. 382) ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," COMMENCING WITH SECTION No. 36 OF SAID ACT, RELATING TO THE INCORPORATION OF THE TOWN OF WRIGHTSVILLE, PASSED AT THE REGULAR SESSION OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, 1870-'71.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the village of Wrightsville, shall be deemed, and are hereby declared to be, a body politic and corporate; and the said village shall be

Name and
limits of town

called and known by the name of Wrightsville; and its corporate limits shall include Edisto Island, together with Eddingsville. The metes and bounds of said town of Wrightsville will be bounded on the north by North Edisto Inlet or River, on the south by South Edisto River and St. Helena Sound, and on the east by Atlantic Ocean, and on the west by Johosse Island and Edisto River.

A. D. 1872.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the third Monday in May, 1872, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens—paupers and persons under disabilities for crime excepted.

Qualification
of Intendant
and Wardens.

Electors.

SEC. 3. The said election shall be held at some convenient public place in said village, from eight o'clock in the morning until four o'clock in the afternoon; and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, The Commissioners of Election of Charleston County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make returns thereof to the Commissioners, the same as other elections held in this State; and the said Commissioners shall count the votes and declare the election, and notify the persons so elected Intendant and Wardens of the said village. The Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the village of Wrightsville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars, for the use of the said village: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as

Election.

By whom
called.Oath of of-
fice.Penalty for
refusal
to
serve.

Proviso.

A. D. 1872.

Managers.

Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

**Vacancies—
how filled.**

SEC. 4. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of them, ten days' public notice being previously given; and, in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

**Judicial
powers.**

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices, or Justices of the Peace, as the case may be, in this State, within the limits of the said village, except for the trial of small and mean causes; and the Intendant shall or may, as often as is necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Wrightsville; and they and their successors in office, hereafter to be elected, may have a common seal, which shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded, in any Court of Justice in this State; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals, or Constables, of said village, as

**Rights and
privileges.**

**Marshals—
their powers
and duties.**

the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof; which persons, so appointed, shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have power to establish, or authorize the establishment of, a market house in said village; also, to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same; and until the said guard house be established, they shall be author-

**Market and
guard house
may be estab-
lished.**

ized to use a room in the common jail in the County of Charleston, for the confinement of all who may be subject to be committed for a violation of any ordinances, rules and regulations of said town; and the said Town Council, or the said Intendant and Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable, specially appointed for that purpose, to arrest and commit to the said guard house, or jail of Charleston County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent, or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal, or Constables, to arrest and commit all such offenders, when required so to do, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrest; and upon the failure of such officers to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may impose upon them; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violations of ordinances, rules and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she, or they may have committed. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, regulations, by-laws and ordinances respecting the streets, roads, and the business thereof, as well as the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within said town. And the said Town Council may impose fines for offenses against their by-laws, rules and regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices, or Justices of the Peace, now have, or may hereafter have, to compel the attendance of witnesses, and requiring them to give evidence, upon the trial before them of any person or persons for a violation of any of their ordinances, by-laws, rules or regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in the proper Courts of justice in this State; and, also, that nothing herein contained shall authorize said Council to make any ordinance or by-law inconsistent with, or repugnant to, the laws of the State.

A D. 1872.

Power to arrest and commit to jail.

Penalty for neglect of duty.

May make rules and regulations.

Fines.

A. D 1872.

Nuisances.

Roads, ways
and streets.May com-
pound with
persons liable
to street duty.

SEC. 6. That the said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets, in said town, open and in good repair; and, for that purpose, they are invested with all the powers of County Commissioners, or Commissioners of Roads, for and within the corporate limits of the said town; and they may lay out new streets, close up, widen, or otherwise alter those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town, liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads, in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations require—the moneys so received to be applied to the public uses of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars, for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine, in the same manner as is now, or may be hereafter, provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town, as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: *Provided*, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose premises any such new street, road or way may pass.

Sidewalks.

SEC. 7. The said Town Council shall have power and authority to require all persons owning a lot or lots, in said town, to close in, and to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalks shall be necessary—the width thereof, and the manner of construction, to be designated and regulated by the said Town Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalk, and to close such lot or lots, the Town Council may cause the same to be made, or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same, by

action of debt, in any Court of competent jurisdiction: *Provided*, That such contract for making or repairing is let to the lowest bidder. The said Town Council shall appoint three discreet persons, who shall form a Board of Supervisors of the Health, who shall have power over the ways and water courses, ditches and stagnant water ponds, and take such other sanitary measures as the public health require, giving twenty days' notice to the occupants of said premises, where the said nuisance lies, and in default of non-compliance with the order of said Board, the parties so offending shall be fined in a sum not less than twenty dollars, or thirty days in the County jail, for each and every offense, the said complaints to be brought before any Trial Justice, or Justice of the Peace, in and for the County of Charleston. The said Board shall have power over the cemeteries and public grave yards within the corporation.

A. D. 1872.

Board of
Health—their
powers and
duties.

SEC. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse licenses to keep taverns or retail spirituous liquors within the corporate limits of the said town, upon such condition, and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern, or to retail spirituous liquors, be less than the amount that is established by the State; and all moneys paid for licenses, and for fines and forfeitures, shall be appropriated to the public use of said town: *Provided*, That the Intendant and Wardens duly elected shall not have power to grant any license to keep taverns, or retail spirituous liquors, to extend beyond the term for which they have been elected. They shall have power to regulate sales at auction within the corporate limits of the town, and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares, mules kept for hire or used for public purposes in said town; and they shall have the full and only power to impose a tax on all shows or exhibitions for gain or reward within the corporate limits of said town; they shall have power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town—the real and personal property of churches and schools and college associations excepted. That an ordinance declaring the rates of annual taxation upon property, and other subjects of annual taxation for the year, shall be published at least three weeks during the month of January, in each year: *Provided*, That the said Town Council shall have power to levy a tax for this year, under the same rule as is above stated, immediately after the passage of this Act, and that all persons liable to taxation under the

Licenses.

Sales at auc-
tion.

Shows, &c.

Rates of tax-
ation to be
published.

Assessment
and taxation
of property.

A. D. 1372.

Penalty for
failure to re-
turn prop-
erty.

Executions.

same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do, during the succeeding month after publication; and upon the failure to make such return and payment, as required, the parties so in default shall be subject to the penalties provided by law for failure to pay the general State and County taxes, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of said town, except that in such cases that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other person appointed by the said Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property, upon which such tax shall be levied and assessed, is hereby declared and made liable for the payment thereof, in preference to all other debts, except debts due to the State, which shall be first paid; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be payable in advance by the parties liable for the same, and on failure of payment, their property shall be liable for the same, as in manner and form just before stated.

Shall pub-
lish account of
receipts and
expenditures.

SEC. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office, a full account of their receipts and expenditures during their term, which account shall be published in one or more papers of the County; and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors, and on failure to do so they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

Ordinances
validated.

SEC. 10. That all ordinances or by-laws passed by the Town Council of Wrightsville shall be binding upon the citizens of said town, the same as the laws of the State.

SEC. 11. That all Acts and parts of Acts inconsistent with, or supplied by, this Act be, and the same are hereby, repealed.

SEC. 12. This Act shall be deemed a public Act, and continue in force until repealed.

Approved January 31, 1872.

AN ACT TO INCORPORATE THE WALBOO WHARF COMPANY.

A. D. 1872.

No. 14.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of the South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George Avinger, Samuel Brettas, Thomas Davis, Daniel Anderson, Jacob McDaniels, their associates and successors in office, be, and they are hereby, constituted a body politic, under the name and style of the "Walboo Wharf Company," with a capital stock not exceeding ten thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and to use a common seal, the same to alter at will and pleasure: *Provided*, That said corporation shall have all the privileges, and be subject to all the liabilities and restrictions applicable thereto, of the Act to regulate the formation of corporations.

Corporators.

Capital stock.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force for a term of fourteen years.

Approved January 31, 1872.

AN ACT TO EMPOWER THE JUDGES OF THE PROBATE COURT, IN THEIR RESPECTIVE COUNTIES, TO ISSUE EXECUTIONS.

No. 15.

Whereas doubts have arisen whether the Judges of the Probate Court in this State are authorized to issue executions to carry into effect any order, sentence or decree of such Court; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the Judges of the Probate Court, in the several Counties in this State, may, and they are hereby, fully authorized and empowered to issue executions, when that is the necessary and proper process, to carry into effect any order, sentence or decree of such Court.

Probate Judges may issue executions.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved January 31, 1872.

AN ACT TO INCORPORATE THE YOUNG MEN'S FREE ENTERPRISE COUNCIL, NO. 1, OF GEORGETOWN, SOUTH CAROLINA.

No. 16.

Whereas George H. Powley, Moses Smalls, T. G. Rutledge, An-

Corporators.

A. D. 1872.

thony Jonding and Julius C. Smalls have prayed that the Young Men's Free Enterprise Council, No. 1, of Georgetown, South Carolina, may be incorporated; therefore,

Corporate name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all those persons who are now, or who hereafter may become, members of the said Council, shall be, and are hereby, incorporated, and are hereby declared to be a body politic and corporate, in deed and in law, by the name and style of the "Young Men's Free Enterprise Council, No. 1, of Georgetown, South Carolina;" and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall deem expedient.

Rights, powers and privileges.

SEC. 2. That the said corporation shall be capable, in law, to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, or other property, of what nature soever, not exceeding the sum of ten thousand dollars, or to sell, or to alien the same, as the said corporation shall think fit; and, by its name, to sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as, for the order, good government and management thereof, may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and continue in force for the term of fifteen years.

Approved January 31, 1872.

No. 17.

AN ACT TO CHARTER THE TOWN OF BELTON, IN THE COUNTY OF ANDERSON, AND STATE OF SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Belton, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Belton, and its

corporate limits shall extend one-half mile in each direction from the depot in said town.

A. D. 1872.

Corporate
limits.

Officers.

Electors.

Election.

SEC. 2. That the said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in April, 1872, and every year thereafter on the second Monday in January, ten days' public notice thereof being previously given; and that all male inhabitants, of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place in said town, from 9 o'clock in the morning until 5 o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. At the first election for Intendant and Wardens, Messrs. G. W. McGee, B. D. Dean and Ira Williams are hereby appointed to act as Managers, with authority to supply, by appointment, vacancies that may occur from death, refusal to serve, or otherwise. The Intendant and Wardens so elected shall appoint three Managers to hold the ensuing and any subsequent election. The Managers in each case shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Belton, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January ensuing, and until their successors shall be elected and qualified.

Managers of
Election.

Oath of of-
fice.

SEC. 4. That in case a vacancy should occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held, by the appointment of the Intendant and Wardens, (or Warden, as the case may be,) Vacancies—
how filled.

A. D. 1872.

ten days' public notice thereof being previously given; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Powers and duties.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Trial Justices and Justices of the Peace, except the trial of civil cases, and except as it may otherwise be provided in this Act, within the limits of said town; and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business, and they shall be known by the name of the Town Council of Belton; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town, as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said town, have the powers, privileges and emoluments, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have power to establish, or to authorize the establishment of, the market house in said town. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house, and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Council shall have power to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for violation of any of these by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in a Court of competent jurisdiction: *And provided, also, That no fine shall exceed fifty dollars; and, also, that nothing herein contained shall authorize the said Council to make any by-law or ordinance inconsistent with, or repugnant to, the laws of this State; and all the by-laws, rules and ordinances the said Council may make,*

Marshals — jurisdiction and duties.

By-laws and ordinances.

Fines.

shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

A. D. 1872.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town, keep all roads, ways and streets within the corporate limits in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town, liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty, upon such terms, and on the payment of such sums as may be established by laws or ordinances: *And provided, also*, That the individuals who compose the said Town Council shall be exempt from the performance of road and police duty, and the inhabitants of the said town are hereby exempt from road and police duty without the corporate limits of said town.

Nuisances.

Persons liable to road and street duty.

Exemptions.

SEC. 7. That the power to grant or refuse license for billiard tables, to keep tavern, or retail spirituous liquors within the limits of the said corporation, be, and the same is hereby, vested in the Town Council of Belton; and they shall also have power to impose a tax on shows or exhibitions, for gain or reward, within the limits, and all moneys so received shall be appropriated to the public use of said corporation.

Licenses.

SEC. 8. That the said Town Council of Belton shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine not exceeding twenty dollars, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of citizens thereof; and it shall be the duty of the Marshal of the town to make such arrest, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to perform such duty, he shall be fined in a sum not more than twenty dollars for each and every offense.

Arrests.

SEC. 9. That the said Town Council of Belton shall also have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed in any one year to exceed the rate of ten cents on each hundred dollars of such assessed property, and that the money so raised shall be applied to the use of the said town. The said Town Council shall have power to enforce the payment of all taxes levied by the said Town Council to the same extent, and in the same manner, as is now, or hereafter shall be, provided by law for the collection of the general State taxes.

Taxes.

A. D. 1872.

Sales at auction.

SEC. 10. That the said Town Council of Belton shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: *Provided*, Nothing herein contained shall extend to sales by Sheriff, Clerk of the Court, Judge of Probate, Coroner, Executor, Administrator, Assignee in Bankruptcy, or by any other person out of the order, decree of any Court, Trial Justice or Justice of the Peace.

SEC. 11. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved January 31, 1872.

NO. 18. AN ACT AUTHORIZING E. F. ENGLISH TO BUILD A DOCK, AND COLLECT WHARFAGE AT PORT ROYAL CITY.

E. F. English authorized to build a dock at Port Royal City.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. F. English be, and he is hereby, authorized to build a dock to deep waters of Beaufort River, at Port Royal City, to collect wharfage on the same, and to use, sell or lease said dock for his own benefit, subject to any laws now existing, or hereafter to be made, in relation to such property.

Approved January 31, 1872.

NO. 19. AN ACT TO INCORPORATE THE SCOTT RIFLE GUARDS, OF SUMTER.

Corporators.

Title.

Powers and privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Parson, Joseph Sumter, Oscoe Roach, and their associates and successors, be, and they are hereby, incorporated and declared a body politic, under the name and style of the "Scott Rifle Guards," in deed and in law; and, as such body politic, shall have the power to use and keep a common seal, and the same at will to alter; to make all necessary by-laws, not repugnant to the laws of the land; and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of

law or equity in this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

A. D. 1872.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the space of fourteen years from its passage.

Approved January 31, 1872.

AN ACT TO RENEW THE CHARTER OF THE PALMETTO FIRE ENGINE COMPANY, OF COLUMBIA. No. 20.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Palmetto Fire Engine Company, of Columbia, be, and the same is hereby, renewed and extended for a period of fifteen years; and the said company is hereby authorized to adopt the name and style of Palmetto Steam Fire Engine Company.

Charter renewed and extended.

Approved January 31, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TRUSTEES OF THE WALTERBOROUGH MALE ACADEMY." No. 21.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Trustees of the Walterborough Male Academy," be so amended by striking out, in the first Section of the said Act, the names of the corporators, making null and void the powers of their successors, and vesting all the rights, privileges and immunities in the Trustees of the School District wherein the said Academy is located.

Names of corporators stricken out; rights, &c., vested in District Trustees.

Approved January 31, 1872.

STATUTES AT LARGE

AN ACT TO REGULATE THE GRANTING OF DIVORCES.

Validity of
a marriage—
how affirmed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, When the validity of a marriage shall be denied or doubted by either of the parties, the other may institute a suit for affirming the marriage; and, upon due proof of the validity thereof, it shall be decreed to be valid; and such decree shall be conclusive upon all persons concerned.

Causes for
divorce.

SEC. 2. That a divorce from the bond of matrimony may be decreed for the following causes:

Adultery.

1st. Adultery;

Desertion.

2d. When either party willfully abandons or deserts the other for the period of two years: *Provided*, That, when the suit is instituted by the party deserting, it appears that the desertion was caused by the extreme cruelty of the other party, or that the desertion by the wife was caused by the gross or wanton and cruel neglect of the husband to provide suitable maintenance for her, he being of sufficient ability so to do.

Jurisdiction
vested in Cir-
cuit Court.

SEC. 3. That the Circuit Courts of Common Pleas shall have original jurisdiction of suits for annulling or affirming marriages, or for divorces. No such suit shall be maintained, unless the parties, or one of them, is a citizen of this State, or shall have resided therein at least one whole year previous to instituting the same. The suit shall be brought in the County in which the parties last cohabited, or (at the option of the plaintiff) in the County in which the defendant resides, if a resident of this State; but if not, then in the County in which the plaintiff resides.

By whom
and where
the suit may
be brought.

Suits for di-
vorce—how
commenced.

SEC. 4. That suits for divorce shall be commenced by summons and complaint, in the same manner as other actions; and, whether the defendant answer or not, the cause shall be heard, independently of the admissions of either party in the pleading, or otherwise. Costs may be awarded to either party, as justice and equity may require.

Costs—how
awarded.

Court or
Judge may
compel the
man to sup-
port the wo-
man or minor
children, &c.

SEC. 5. That the Court, in term, or the Judge, in vacation, may, at any time pending the suit, make any order that may be proper to compel the man to pay any sums necessary for the maintenance of the woman, and to enable her to carry out the suit, or to prevent him from imposing any restraint on her personal liberty, or to provide for the custody and maintenance of the minor children of the parties during the pendency of the suit, or to preserve the estate of the minor, so that it be forthcoming to meet any decree which

may be made in the suit, or to compel him to give necessary security to abide such decree.

A. D. 1872.

SEC. 6. When the suit is for divorce for adultery, the divorce shall not be granted if it appears that the parties voluntarily cohabited after the knowledge of the fact of adultery, or that it occurred more than five years before the institution of the suit, or that it was committed by the procurement or connivance of the plaintiff.

Divorce—
when not to
be granted.

SEC. 7. Upon decreeing the dissolution of a marriage, and also upon decreeing a divorce, the Court may make such further decree as it shall deem expedient concerning the estates and maintenance of the parties, or either of them, and the care, custody and maintenance of the children, and make a new decree concerning the same, as the circumstances of the children may require.

Power of
Court to
make further
decree, &c.

SEC. 8. When a divorce is granted for the cause of adultery or willful desertion, committed by the husband, the wife shall be entitled to her dower in his lands, in the same manner as if he were dead; but she shall not be entitled to dower in any other case of divorce from the bond of matrimony.

Wife—when
entitled to
her dower.

SEC. 9. Upon the dissolution of a marriage by a decree of nullity or divorce, for any cause, except that of adultery committed by the wife, the wife shall be entitled to the immediate possession of her real estate, in like manner as if her husband were dead; and the Court may make a decree, restoring to the wife the whole, or any part, of the personal estate that may have come to the husband by reason of the marriage, or awarding to her the value thereof in money, to be paid by the husband.

When entit-
led to her
real estate,
&c.

SEC. 10. When the Court deems it proper to award to the wife any personal estate, or money in lieu thereof, it may require the husband to disclose, on oath, what personal estate has come to him by reason of the marriage, and how it has been disposed of, and what portion thereof remains in his hands.

Husband to
state what es-
tate he re-
ceived by
marriage.

SEC. 11. When a divorce is decreed for any of the causes mentioned in Section 2 of this Act, the Court granting it may decree alimony to the wife, or any share of her estate, in the nature of alimony, to the husband.

Alimony.

SEC. 12. When alimony or other annual allowance is decreed for the wife or children, the Court may require sufficient security to be given for its payment, according to the terms of the decree.

Security for
payment of
alimony.

SEC. 13. Upon actions of divorce for the cause mentioned in Section 2 of this Act, in order to secure a suitable support and maintenance to the wife and such children as may be committed to her care and custody, an attachment of the husband's real and personal estate may be made by the officer serving the summons. The amount

Attachment.

A. D. 1872.

for which the attachment may be made shall be expressed in the warrant of attachment, which must be obtained from a Judge or a Clerk of the Court in which, or before whom, the action is brought.

Laws of attachment applicable under this Act.

SEC. 14. That all laws relating to attachment of real or personal estate shall apply to attachments herein provided for, so far as the same are not inconsistent with this Act.

Divorce—when of non-effect.

SEC. 15. When an inhabitant of this State, whose marriage has been consummated therein, shall go into another State or country solely to obtain a divorce, for any cause occurring here, and whilst the parties resided here, or for any cause which would not authorize a divorce by the laws of this State, a divorce so obtained shall be of no force or effect in this State.

Approved January 31, 1872.

No. 22. AN ACT TO REVIVE AND EXTEND THE CHARTER OF THE RELIEF LOAN ASSOCIATION, OF CHARLESTON.

Charter—revived and extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Relief Loan Association, passed on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-six, be, and is hereby, revived and extended for the term of five years from the date of this Act.

Rights, powers and privileges.

SEC. 2. The said Association is hereby re-invested with all the rights of property, which it had at the expiration of its charter, or which its trustees may have acquired since; and shall have power to sue for and collect all amounts due to the said Association, or its trustees, and to sell and convey all the said estate, real or personal, for the closing up of the said Association.

Approved January 31, 1872.

No. 23. AN ACT TO ALTER AND AMEND AN ACT TO ORGANIZE AND GOVERN THE MILITIA OF THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 15 of an Act to organize and govern the militia of the State of

South Carolina, approved March 16, 1869, is hereby altered and amended so as to read: "The duties of Quartermaster General shall devolve upon the Adjutant General in times of peace."

A. D. 1872.

SEC. 2. That the office of Assistant Adjutant General be, and is hereby, abolished, and the duties of that office are hereby conferred upon the Adjutant General.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 2, 1872.

AN ACT TO REGULATE THE MANUFACTURE AND SALE OF
COMMERCIAL FERTILIZERS IN THE STATE OF SOUTH CAROLINA.

No. 25.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, All commercial fertilizers manufactured, sold, or kept for sale, in the State of South Carolina, shall have affixed to every bag, barrel or parcel thereof a written or printed label, which shall specify the names of the manufacturer and seller, their respective places of business, and the constituent parts thereof.

All fertilizers
to be labeled.

SEC. 2. Whoever manufactures, sells, or keeps for sale, any commercial fertilizer or fertilizers, not labeled in accordance with the provisions of the preceding Section, and whosoever shall affix to any bag, barrel or other parcel of any fertilizer any label not truly specifying the constituent parts thereof, and the names of the manufacturer and seller, shall be punished by a fine of twenty dollars for the first offense, and a fine of forty dollars for the second and every subsequent offense, one-half of which shall, in every case, be for the use of the prosecutor.

Penalty for
false labeling
and failure to
label.

SEC. 3. This Act shall be deemed a public Act, and be in force after its ratification.

Approved February 2, 1872.

A. D. 1872.

No. 26.

AN ACT TO INCORPORATE THE ENTERPRISE ASSOCIATION, OF CHARLESTON, SOUTH CAROLINA.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Mills, T. A. Davis, N. Spencer, Samuel Marion, Aaron Wrighten, Abraham Williams, Joseph Parker, S. B. Middleton, Richard White, George Martin, Jacob Royal, John A. Adams, R. N. Gregorie, Isaac Weston, Edward Weston, their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Enterprise Association, of Charleston, South Carolina."

Title.

Powers and privileges. SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land, and shall have succession of officers and members, according to their election; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given, or bequeathed to, or purchased by, it, and to sell, convey or mortgage the same, or any part thereof, at will.

May assign and dispose of property.

SEC. 3. That said corporation may, from time to time, invest moneys, assets; or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property, held and owned by said corporation, shall not exceed fifty thousand (50,000) dollars.

SEC. 4. This Act shall continue in force during twenty years, and may be given and taken in evidence without being especially pleaded.

Approved February 2, 1872.

No. 27. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH A BUREAU OF AGRICULTURAL STATISTICS FOR THE ENCOURAGEMENT OF INDUSTRIAL ENTERPRISES, AND TO INVITE CAPITAL TO SOUTH CAROLINA FOR THE DEVELOPMENT OF THE RESOURCES OF THE STATE."

SECTION 1. *Be it enacted* by the Senate and House of Repre-

sentatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina for the development of the resources of the State," passed the 26th day of September, A. D. 1868, be, and the same is hereby, repealed, and the duties heretofore performed by the Commissioner of Agriculture shall be, and the same are hereby, conferred upon the Secretary of State.

A. D. 1872.

Act establishing Bureau of Agricultural Statistics repealed.

Duties conferred on Secretary of State.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved February 2, 1872.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE PER DIEM OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS, AND OTHER EXPENSES INCIDENTAL THERETO. No. 28.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the payment of the per diem of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto, the sum of one hundred and fifty thousand dollars, if so much be necessary, be, and the same is hereby, appropriated out of any funds in the Treasury not otherwise appropriated. \$150,000 appropriated.

SEC. 2. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish to each member of their respective bodies a pay certificate for the amount of his per diem, to include such dates as the General Assembly shall, by concurrent resolution, direct. Certificates—by whom furnished.

SEC. 3. That such certificates shall conform to the provisions of Section 23, Article 2, of the Constitution of the State, and shall be certified by the President of the Senate and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives and by the Clerk of the same, for all members of that body. By whom certified and attested.

SEC. 4. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with certificates of pay in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: *Provided, however,* That the pay certificates, for services Pay of subordinates—by whom fixed.

A. D. 1872.

rendered common to the two Houses, shall be signed by the President of the Senate and countersigned by the Speaker of the House of Representatives.

Treasurer
to pay at his
counter.

SEC. 5. That the Treasurer of the State is hereby authorized and directed to pay the said certificates, at his counter, out of any funds in the Treasury not otherwise disposed of, and to hold the certificates as his vouchers therefor, and he is authorized and required to retain in the Treasury office all moneys from incoming taxes.

Approved February 5, 1872.

No. 29.

AN ACT TO INCORPORATE THE TOWN OF CHESTERFIELD.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons residing within the area of one-half mile in the direction of north and south from the Court House, in the County of Chesterfield, and one-half of a mile in the direction of east and west from said Court House, are hereby created a body corporate, under the name of the town of Chesterfield, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning, by an Act approved the 9th day of March, A. D. 1871.

Powers and
privileges.

SEC. 2. That this Act shall be taken and deemed a public Act, and shall continue in force until amended or repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 5, 1872.

No. 30. AN ACT TO REPEAL A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION AUTHORIZING THE GOVERNOR TO PURCHASE TWO THOUSAND STANDS OF ARMS, OF THE MOST IMPROVED PATTERN, WITH USUAL COMPLEMENT OF AMMUNITION," APPROVED MARCH 16, 1869.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution,

entitled "Joint Resolution authorizing the Governor to purchase two thousand stands of arms, of the most improved pattern, with usual complement of ammunition," approved March 16, 1869, be, and the same is hereby, repealed.

A. D. 1872.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 5, 1872.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

AN ACT TO APPROVE, ADOPT AND MAKE OF FORCE THE No. 31.
GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA, PREPARED UNDER THE DIRECTION, AND BY THE AUTHORITY, OF THE GENERAL ASSEMBLY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the General Statutes of the State of South Carolina, prepared, under its authority, by W. J. Whipper, C. W. Montgomery and D. T. Corbin, Esquires, and reported to the General Assembly, be, and the same are hereby, adopted as the Statutes of the State of South Carolina, and the Acts, Ordinances and Resolves, recommended by their titles to be repealed by said Commissioners, be, and the same are hereby, repealed.

General Statutes adopted

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 10, 1872.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated

A. D. 1872.

within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

No. 32. AN ACT TO ESTABLISH A PUBLIC ROAD IN BARNWELL AND ORANGEBURG COUNTIES.

Road from
Bamberg to
Fogle's Mill.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. D. Cleckly, F. E. Salinas, Isaac S. Bamberg and Daniel Quattlebaum, be, and they are hereby, authorized and empowered, immediately after the passage of this Act, to lay out, construct and open a public road, leading (by the best and most direct way) from Bamberg, in Barnwell County, to Fogle's Mill, on the Orangeburg Road, in Orangeburg County.

Commissioners to erect bridges.

Cost of same limited.

SEC. 2. That, in the construction of said road, the Commissioners aforesaid shall cause to be constructed and erected such bridges as they may deem necessary: *Provided, however,* The cost of erecting such bridges shall not exceed the sum of four hundred dollars, to be paid, equally, by the said Counties of Barnwell and Orangeburg.

May order out persons liable to road duty.

SEC. 3. That said Commissioners be further authorized and required to order out all persons, liable to road duty, residing within five miles of the line of said road, as located, (excepting those living in incorporated towns,) to perform three days' work, in each month, on said road, until its completion.

Approved February 15, 1872.

No. 33. AN ACT TO REGULATE THE LABOR OF PERSONS CONFINED IN THE PENITENTIARY OF THE STATE OF SOUTH CAROLINA.

Proceeds of convict labor for exclusive benefit of this State.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all labor, of whatever character, which is now being, or may hereafter be, discharged by any person or persons who are now, or may hereafter

be, confined in the Penitentiary of this State, shall be for the exclusive benefit of the State; and the labor of the convicts in the Penitentiary shall not be hired to any person or persons for a price less than is paid to any other class of laborers for the same kind of labor; and the Superintendent of said institution shall keep a correct record, stating the kind of labor, and the amount realized therefor, and the whole of which amount shall be turned over to the State Treasurer monthly, to be retained by him, subject to the draft of the said Superintendent, for the benefit of said institution, which draft shall be accompanied by a written statement of the items for which each amount is required.

A. D. 1872.

Convict labor not to be hired for a less price than is paid to other laborers for similar labor.

Superintendent to keep record of labor and amount realized therefor.

SEC. 2. Any violation of this Act, on the part of the Superintendent, shall be an official misconduct, and, on information of any person to the Attorney General, he shall immediately commence legal proceedings against him therefor.

Violation of this Act official misconduct.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved February 15, 1872.

AN ACT TO INCORPORATE THE MECHANICS' AND FARMERS' BUILDING AND LOAN ASSOCIATION, OF RICHLAND COUNTY, SOUTH CAROLINA.

No. 34.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. H. Heinitsh, A. G. Brenizer, John Agnew, M. J. Calnan, W. B. Nash, Wm. Simons, S. B. Thompson, James Davis, Æsop Goodson, J. H. Bryant, William Taylor, together with such other persons who are now, or may be hereafter, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, by certificate or otherwise, secured by mortgage on real estate or personal property, or by conveyance of the same, to their members and stockholders, or other persons, by the name and style of the Mechanics' and Farmers' Building and Loan Association, of Richland County, South Carolina, the capital stock of which shall consist of two thousand shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue. The said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject

Corporators.

Purpose of corporation.

Capital stock.

A. D. 1872.

to such fines and forfeitures, for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Powers and
privileges.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen, according to the said rules and by-laws, made, or to be made, by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

May hold and
dispose of
property.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, to its members and others, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not, at any time, exceed the value of two hundred thousand dollars.

Funds may
be loaned and
advanced.

SEC. 4. That the funds of said corporation shall be loaned and advanced to its members and stockholders, or others, upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security, upon its loans and advances; and may sell, alien or otherwise dispose of the same to its members, stockholders or others, as they, from time to time, may deem expedient.

Division of
funds — when
to be made.

SEC. 5. That, whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

SEC. 6. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same.

Approved February 15, 1872.

AN ACT TO AUTHORIZE CLERKS OF THE COURTS OF COMMON PLEAS TO TAKE TESTIMONY IN CERTAIN CASES.

A. D. 1872.

No. 35.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerks of the Courts of Common Pleas in this State, in all civil causes or proceedings hereafter to be instituted, or now pending, or at issue, in the Courts of Common Pleas, for their respective Counties, shall, upon the application of either party to such cause or proceeding, after ten days' notice to the adverse party, take, in writing, the depositions of said party, or of any witness or witnesses in said cause or proceeding, whose examination shall be required by the party making such application; upon taking which depositions, the several parties shall be entitled to the same rights of examination, cross-examination, and examination in reply, and the same exceptions to the admissibility of evidence, as are allowed by law upon examination before the Court. And the depositions so taken shall be certified by the Clerk before whom such examination was had, and shall be read in evidence at the trial of the said cause or proceeding; subject, nevertheless, to the right of either party to require the personal attendance and *viva voce* examination of the witness or witnesses at the trial of said cause or proceeding; the exercise of which right, however, not to cause a continuance or delay in the trial of the said cause or proceeding.

Clerks of Court may take depositions.

Rights of examination.

Depositions to be certified

Personal attendance.

SEC. 2. That every Clerk of the Court of Common Pleas shall have power to compel the attendance before him of the witness or witnesses to be examined, as aforesaid, upon the application of a party to any civil cause or proceeding hereafter to be instituted, pending or at issue in the said Court; for which purpose, he may issue a subpoena to any such witness, which shall be served personally; and if any witness, upon whom such subpoena has been duly served, shall fail to attend conformably thereto, the Clerk by whom the same was issued shall have power to issue a rule, requiring such witness to show cause why he should not be attached for contempt; and, upon the failure or neglect of such witness to show cause, the said Clerk shall have power to issue an attachment against such witness for contempt, which attachment shall not be dissolved, except by the order of a Judge, or of the said Clerk.

Power to compel attendance of witnesses.

May issue subpoena.

Failure to attend — penalty for.

Attachment for contempt.

SEC. 3. That every Clerk of the Court of Common Pleas, for taking the depositions hereinbefore mentioned, shall be entitled to demand and receive the sum of one dollar for each witness examined, to be paid by the party against whom judgment shall be rendered in said cause or proceeding.

Fee of Clerk of Court for examination of witnesses.

Approved February 15, 1872.

A. D. 1872.

No. 36.

AN ACT TO PROVIDE THE MANNER FOR OBTAINING THE RIGHT OF WAY, WHERE LANDS ARE SURROUNDED BY OTHER LANDS.

Construction of highways through lands surrounded by other lands.

In case of refusal, notice to be given.

Appointment of referees.

Board of Referees — their powers and duties.

No appeal from their decision.

Said Board to meet, inspect premises, and to determine the value and quantity of land required.

Verdict of damage and compensation

Upon payment of compensation, right of way established.

Referee of person requiring right of way to have the same powers as conferred upon the Board.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That where any person or persons owning lands, surrounded by lands of other person or persons, through which there is no right of way, or highway, are authorized, as hereinafter provided, to construct a highway or road through such lands to the nearest highway then existing.

SEC. 2. If the owner or owners of such surrounding lands shall signify his or their refusal to the opening of a highway through such lands, without previous compensation, the person or persons requiring such right of way shall give ten days' notice, in writing, to the person or persons, through whose lands such right of way is required, of his intention to establish such right of way, naming in such notice a person who will act as referee for him in the location thereof, and such owner or owners shall, within ten days thereafter, appoint a referee for the same purpose.

SEC. 3. That the referee so appointed shall, within ten days thereafter, meet at some convenient place and appoint a third referee, and the three referees so appointed shall constitute a board of referees for the location of such highway, and to determine the compensation and damages for the same, from whose decision, in no case, shall there be an appeal.

SEC. 4. That within ten days after the appointment of a third referee, in compliance with the third Section of this Act, the said referees shall meet and proceed, faithfully and impartially, to determine the question of location, compensation and damages, submitted to them, for which purpose they shall inspect the premises in reference to the construction of the proposed highway, and the quantity of land which shall be required therefor, with respect alone to the quantity, and value, and location of the land which may be required, and to the special damage the owner may sustain by reason of the construction of the highway through his land, and the amount of compensation which shall be made to the owner thereof, and shall render their verdict, in writing, for the same.

SEC. 5. That, upon the payment of the compensation thus ascertained, the right of way over said lands shall be established, and shall be opened as, and forever remain, a public highway.

SEC. 6. That if the owner or owners of such lands, over which such right of way is required, shall not, in compliance with the second Section of this Act, appoint a referee within the time required, the referee appointed by the person requiring such right of way

shall proceed the same as if all three referees had been appointed, and his action therein, in compliance with Section 4 of this Act, shall have the same force and effect as if the full board of referees had acted.

A. D. 1872.
 Action of
 such referee
 valid.

SEC. 7. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved February 15, 1872.

AN ACT TO AUTHORIZE THE ERECTION OF A CERTAIN BRIDGE OVER WATeree RIVER. No. 37.

Whereas a majority of the people of Kershaw County have voted in favor of the erection of a free bridge over Wateree River, on the Columbia Road, near Camden, to be built and kept up at the expense of said County :

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County of Kershaw be, and is hereby, authorized to build a bridge over Wateree River, on the Columbia Road, at the Camden Ferry, to be kept up and maintained at the expense of said County, for the public use, free of toll.

Bridge over
 the Wateree
 River.

SEC. 2. That the County Commissioners of said County, and Mannes Baum, T. H. Clarke and W. M. Shannon, be, and are hereby, constituted a Special Commission to contract for and superintend the construction of said bridge, and to raise and disburse the funds required for the same.

Special Com-
 mission to su-
 perintend
 construction,
 &c.

SEC. 3. That, whenever deemed necessary, a majority of said Special Commission shall issue the bonds of said County, to an amount not exceeding twenty thousand dollars, payable ten years after date, and bearing interest at the rate of eight per cent. per annum, payable annually, on the first day of July in each and every year; and shall dispose of said bonds, at such times and places, and in such manner, as a majority of said Special Commission may direct, to raise funds for the construction of said bridge.

Issue of
 bonds author-
 ized.

SEC. 4. That the said County Commissioners be, and are hereby, authorized to levy an annual tax on the assessed value of the taxable property held and owned in said County, not exceeding two mills upon every dollar of the value of such property within the townships of Wateree and DeKalb, of said County, and not exceeding one mill upon every dollar of the value of such property

Tax of two
 mills in Wa-
 teree and De-
 Kalb Town-
 ships; other
 Townships
 one mill.

A. D. 1872.

within the other townships of said County, which tax shall be collected as provided by law for the collection of other County taxes, and be paid out by the County Treasurer, upon the order of the majority of such Special Commission.

Proceeds of
said tax—how
to be disposed
of.

SEC. 5. That the proceeds of said tax shall be applied, first, to the payment of the interest on said bonds, and the surplus, if any, shall be securely invested, under the direction of said Special Commission, and create a sinking fund, to be applied to the payment and extinguishment of said bonds at their maturity, or to pay up and cancel the same before maturity, as said Commission may deem expedient; and, when the same are fully paid and extinguished, the said tax shall cease to be levied, and the said Special Commission shall cease to exist.

Special Com-
mission to ap-
point a Treas-
urer.

SEC. 6. That the said Special Commission shall appoint a Treasurer, who shall give bond, before entering upon the discharge of the duties of his office, in such amount as may be deemed sufficient for the purpose, conditioned for the faithful discharge of his duties, who shall receive and disburse the proceeds of the bonds hereinbefore authorized to be issued, and all other moneys coming to his hands by the direction of said Special Commission, and be subject to such rules and regulations as the said Special Commission may prescribe.

To file an
account with
Clerk of Court

SEC. 7. That the said Special Commission shall, annually, file a correct account of their receipts and disbursements, and a report of their proceedings, in the office of the Clerk of the Circuit Court, on or before the first day of the January Term of said Court, to be open for the inspection of the citizens of said County, and to be laid before the Grand Jury, at said Term, for their examination; and, failing to do so, the members of said Commission shall be liable to indictment as for a misdemeanor; and, upon conviction, shall each be punished, by fine or imprisonment, at the discretion of the Court, not exceeding one hundred dollars' fine or six months' imprisonment.

Penalty for
failure.

Vacancies—
how filled.

SEC. 8. That, in case of a vacancy at any time in said Special Commission, occasioned by the death, resignation, removal, or refusal to serve, of the said Mannes Baum, T. H. Clarke and W. M. Shannon, or their successors, or any one or more of them, such vacancy shall be supplied by the remaining members of such Special Commission, by appointment from among the twenty persons in said County who shall have paid, in his own right, the highest tax to the State for the year next preceding such appointment.

County of
Kershaw in-
vested with
rights of State

SEC. 9. That, for the purpose of enabling the said Special Commission to carry into effect the provisions of this Act, the said County of Kershaw is invested with all the rights of the State in the piers

of the bridge of the Camden Bridge Company, and the landings and road-bed which formerly led to and from the same; and the said Special Commission may make such compensation to the stockholders of the said company as may be deemed equitable and just by the said Special Commission, under the circumstances of the case: *Provided*, That the entire cost of said bridge and its appurtenances shall not, together with the compensation to the Camden Bridge Company, exceed the sum of twenty thousand dollars.

A. D. 1872.

Stockholders of Camden Bridge Company—compensation of.

SEC. 10. That the Camden Bridge Company be, and they are hereby, authorized to keep up the Camden Ferry up to and until the opening of the bridge hereinbefore provided for, at the same rates of toll as were charged on the first day of December last, and the said company shall then cease to be a body politic and corporate; but the stockholders thereof shall then be at liberty to sell their property and assets, and divide the proceeds of the same among them rateably, according to the number of the shares of said stock held by them, respectively, having first paid the debts of the said corporation: *Provided*, That nothing contained in this Section shall conflict with or abridge any of the powers, rights and privileges hereinbefore conferred upon the said County of Kershaw, or the said Special Commission.

Camden Bridge Company to keep up Camden Ferry until opening of said bridge.

SEC. 11. That this Act shall be a public Act, and be so taken and deemed in all the Courts of this State.

Approved February 15, 1872.

AN ACT TO PROVIDE FOR THE REDEMPTION OF CERTAIN LANDS,
SOLD UNDER ORDER OF GENERAL ED. R. S. CANBY FOR
TAXES.

No. 38.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the former owners of all lands sold for taxes, and bought in for the State by the Sheriffs of the several Counties, under the provisions of an order of General Ed. R. S. Canby, dated Charleston, S. C., December 3, 1867, to provide for the support of the Provisional Government of South Carolina, for the year commencing the 1st day of October, 1867, be, and they are hereby, allowed the privilege of redeeming said lands, at any time within twelve months after the passage of this Act.

Former owners allowed to redeem their lands sold for taxes.

A. D. 1872.

Terms upon
which said
lands may be
redeemed.

SEC. 2. That the person or persons desiring to redeem land, sold under said order, shall apply to the Sheriff for a certificate, under his hand and seal, stating the amount of tax, costs and penalties, for which the land was sold. That then the said person shall present the same to the County Treasurer, and pay to said Treasurer the amount of the tax, with interest thereon, at the rate of seven per cent. per annum on all costs and penalties; whereupon the Treasurer shall make and deliver to such person or persons a deed of conveyance for said land, removing all the titles therein.

County Treas-
urer shall
account for
taxes, penal-
ty, &c.

SEC. 3. That the County Treasurer shall account for the taxes, penalty and interest paid in, under this Act, in the same manner as he does for other taxes, and shall distribute the costs to the officer to whom the same shall belong.

Cost of deed
of conveyance
and certifi-
cate.

SEC. 4. That the person or persons redeeming the land shall pay to the County Treasurer the sum of three dollars for the deed of conveyance, and to the Sheriff fifty (50) cents for the certificate.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Conveyances
heretofore
executed rati-
fied and con-
firmed.

SEC. 6. That all deeds of conveyance heretofore executed and delivered by the Sheriffs of the different Counties, or any of them, under the Act providing for the redemption of lands, sold under the orders of General Canby, approved the 9th day of March, A. D. 1871, in which the application was made therefor, within the time limited by that Act, be, and the same are hereby, ratified and confirmed.

Sheriffs to
turn over
taxes, &c., to
County Treas-
urers.

SEC. 7. That the Sheriffs who may have received taxes, interests and penalties in the redemption of lands, as in that Act provided, are hereby required to turn the same over to their respective County Treasurers, to be disposed of by them as other taxes, and to parcel out the costs received by them to the officers to whom they severally belong.

Approved February 15, 1872.

No. 39. AN ACT TO RENEW THE CHARTER OF THE PENDLETON MALE ACADEMY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Pendle-

ton Male Academy be, and the same is hereby, extended, and shall continue in force until repealed.

A. D. 1872.

Approved February 15, 1872.

AN ACT TO INCORPORATE THE SAXTON RIFLEMEN, OF CHARLESTON, SOUTH CAROLINA.

No. 40.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. D. Mitchell, J. W. Green, M. Smith, D. Smith, G. Alston, A. P. Johnson, Henry Fraser, J. R. Carter, — Ferguson, M. C. Brown, A. Williams, Adam Singleton, J. W. Jenkins, John Smalls and Charles B. Brown, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Saxton Riflemen, of Charleston, South Carolina."

Corporators.

Corporate name.

SEC. 2. And the said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued, in any Court in this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to, or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Rights, powers and privileges.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

May acquire and dispose of property.

SEC. 4. This Act to continue in force during fifteen (15) years, and may be given in evidence without being especially pleaded.

Approved February 15, 1872.

A. D. 1872.

No. 41.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE TOWN OF HAMBURG," APPROVED FEBRUARY 28, 1871.

Corporate
limits altered
and extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act to which this is amendatory be altered and amended by striking out, from Section first, all after the word "Georgia," in the eighth line of said Section, and inserting in the place thereof the words "one mile, in a westerly direction, up and along the Savannah River; thence one mile and a half in a northerly direction, upon a line at right angles with the line of the Savannah River; thence one mile and one-half of a mile in an easterly direction, upon a line parallel with the line of the Savannah River; thence one mile and a half in a southerly direction to the Savannah River, and upon a line at right angles with the line of the Savannah River; thence one-half a mile in a westerly direction, up the Savannah River, to the said Savannah Bridge; said town to be in the form of a square."

SEC. 2. That said Act be further amended by striking out, from the seventh line of Section 10 of said Act, the word "fifteen," and inserting in place thereof the words "thirty-five."

Approved February 15, 1872.

No. 42. AN ACT TO INCORPORATE THE WALLINGFORD CHURCH AND ACADEMY, OF CHARLESTON.

Whereas A. C. McClelland, Joshua D. Geddings, Nathan Ritter, J. J. Knox, Lawrence S. Mills, William Miles, Samuel Marion and William Williamson, Trustees of the Church formerly known as "Siloam," now as Wallingford Presbyterian Church and Academy, by petition therefrom, have prayed to be incorporated :

Corporate
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passing of this Act, all those persons who now are, or who hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated, and are hereby declared to be a body corporate, in deed and in law, by the name and style of the Wallingford Presbyterian Church and Academy, of Charleston, South Carolina, for the advancement of Christianity ;

and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall judge expedient.

A. D. 1872.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements, or hereditaments, or other property of what nature soever, not exceeding the sum of two hundred thousand dollars, or to sell or alien the same, as the said corporation shall think fit, and by its said name to sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as, for the order, rule, good government and management thereof, may be thought necessary and expedient: *Provided*, That nothing contained herein shall be construed to interfere with the prerogatives, control and direction of the General Assembly of the Presbyterian Church, in the United States of America, over the institution aforesaid.

Powers and privileges.

Proviso.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed, and, as such, shall be judicially noticed in all the Courts of this State.

Approved February 15, 1872.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE APPOINTMENT OF A LAND COMMISSIONER, AND TO DEFINE HIS POWERS AND DUTIES." No. 43.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the appointment of a Land Commissioner," approved March twenty-seventh, 1869, be, and the same is hereby, repealed.

Office of Land Commissioner abolished.

SEC. 2. That all books and papers pertaining to the office of the Land Commissioner be turned over to the Secretary of State on and after the passage of this Act. And the Secretary of State shall execute the duties heretofore devolving upon the Land Commissioner.

Books, &c., of his office to be turned over to Secretary of State.

Approved February 15, 1872.

A. D. 1872.

No. 44.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF BARNWELL COUNTY TO CONSTRUCT A JAIL AT BLACKVILLE, THE COUNTY SEAT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Barnwell County be, and they are hereby, required and directed, immediately after the passage of this Act, to cause to be constructed a jail for the use of said County, at the town of Blackville, the County seat; the said jail, when completed, with the highest practicable security for the custody of prisoners, not to exceed in cost the sum of eight thousand dollars.

SEC. 2. The said Commissioners are authorized to advertise for plans and specifications and proposals to build said jail, in the newspapers published in Barnwell, and in one daily newspaper published in Charleston and Columbia, for the space of three weeks, and, from the plans, specifications and proposals submitted, to select such one as they may think best adapted to the necessities of a jail; and they are further authorized to contract with the party submitting the plans, specifications and proposals accepted by them, for the construction of the same.

SEC. 3. On the completion of said jail, according to contract, and after it shall have been approved and received by the said Commissioners, they shall be authorized to draw upon the County Treasurer of Barnwell, in favor of the contractor, for the amount agreed to be paid therefor, which draft shall be paid by the Treasurer on presentation; but the said Commissioners are authorized, in their discretion, to stipulate for the payment to the contractor, in installments, as the work progresses: *Provided*, That no such payment shall be made, except upon an estimate, furnished in writing, by the contractor, and carefully examined by the Commissioners, showing the amount of work actually done, and of material actually furnished at the date when payment is asked: *And provided, further*, That there shall be reserved of such estimates twenty cents per centum, which shall not be paid to the contractor until the jail shall be completed according to contract, approved and received by the Commissioners. And the said Commissioners are authorized to draw upon the County Treasurer for all amounts thus agreed to be paid, which draft the Treasurer shall pay, upon the filing with him the estimates upon which such drafts are drawn, endorsed with a certificate of approval, signed by the said Commissioners, or by a majority of them.

SEC. 4. The County Treasurer shall set apart the sum of eight

Construction
of a Jail at
Blackville.

Cost limited.

Commission-
ers to adver-
tise for propo-
sals.

On comple-
tion of jail,
County Treas-
urer to pay
draft.

Estimates to
be furnished.

Twenty cents
per centum to
be reserved
until comple-
tion of jail.

thousand dollars from the County funds, and hold such sum subject to the drafts of the County Commissioners, for payment of materials and construction of said jail: *And provided, further,* That that part of the County of Barnwell which, with portions of the Counties of Edgefield, Lexington and Orangeburg, now forming the County of Aiken, shall not be liable, in any way, for any debts contracted in building a jail at Blackville, in accordance with the provisions of this Act.

A. D. 1872.

County Treasurer to set apart \$8,000, subject to the draft of County Commissioners.

Approved February 15, 1872.

AN ACT TO INCORPORATE THE CHERAW FIRE ENGINE COMPANY
AS A PART OF THE FIRE DEPARTMENT OF THE TOWN OF
CHERAW.

No. 45.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Theodore F. Malloy, Thos. W. Bouchier, James A. McCreight and W. L. Reid, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Cheraw Fire Engine Company," with a capital stock not exceeding the sum of five thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and to use a common seal, and the same to alter at will and pleasure; and with all other rights, privileges and immunities, that are now secured by law to like incorporate bodies.

Corporators.

Corporate privileges.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force for the term of fourteen years.

Approved February 15, 1872.

AN ACT TO INCORPORATE THE CAROLINA OIL COMPANY.

No. 46.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. McGuinnis, Edward Hope, Robert C. Shiver, S. L. Leapheart, John Agnew, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the Carolina Oil Company, for the purpose of extracting and manufacturing

Corporators.

A. D. 1872.
Objects of
corporation.
Capital.

oil from cotton seed or other seeds, or grain, and for the purpose of carrying on such other business as may be connected therewith, with such capital as may be subscribed, not exceeding fifty thousand dollars, said capital to be divided into shares of one hundred dollars each.

May increase its capital.

SEC. 2. The said company shall have power, from time to time, by a stock vote of not less than two-thirds of the amount of capital paid in, to increase their capital stock to any amount not exceeding one hundred thousand dollars, including their present capital stock.

May open books.

Books may be re-opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the company may deem expedient; and whenever any increase of capital shall be made beyond fifty thousand dollars, as aforesaid, the President of the company shall make affidavit of the fact, and file the same in the office of the Secretary of State, and make public notice thereof once a week for three weeks consecutively in a newspaper in the city of Columbia, which shall be legal notice to all persons dealing with said corporation.

Affidavit of increase to be filed in Secretary of State's Office, and published in newspapers.

Powers and privileges.

SEC. 3. That if any certificate or public notice given by the officers of said company, in pursuance of the provisions of this Act, is false in any material representation, all the officers who signed the same, knowing it to be false, shall be jointly and severally liable for all debts of the company contracted while they were stockholders or officers thereof.

Penalty for making false certificate.

SEC. 4. The said company shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for their government and direction, and shall have power and authority to make by-laws, not repugnant to the laws of the land; to make, have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court of this State; to purchase and hold any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the purposes for which said company is established, and to sell or mortgage the same.

When corporation may commence operations.

SEC. 5. The said corporation shall not go into operation until twenty thousand dollars of the capital stock shall be paid in gold or silver, or United States Treasury notes, or notes of National Banks. The personal liability of the stockholders for the debts or liabilities of said corporation shall be limited to the amount of stock subscribed by them.

Liabilities of stockholders.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty-one years.

Approved February 15, 1872.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF
CHARLESTON COUNTY TO PLACE A FLAT AT BONNEAU
FERRY.

A. D. 1872.

No. 47.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, authorized to place a flat at Bonneau Ferry, on the eastern branch of Cooper River, to employ and pay a ferryman, and to charge the regular rates of ferriage, out of which the wages of the ferryman are to be paid, and the balance to be turned over to the County Treasurer, for the use of the County.

Flat to be
placed at Bon-
neau's Ferry.

Pay of Fer-
ryman.

OFFICE SECRETARY OF STATE,
COLUMBIA, February 20, 1872.

This Act, having been presented to the Governor for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

AN ACT TO REGULATE PILOTAGE AT THE PORTS OF CHARLESTON,
BEAUFORT AND GEORGETOWN. No. 48.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor is hereby authorized to appoint separate and distinct Boards of Pilot Commissioners for the ports of Charleston, Beaufort and Georgetown, each Board to consist of three persons, of whom two shall be, or shall have been, sea-faring men, and the third a full branch pilot. The Commissioners of Pilotage for the port of Beaufort shall have jurisdiction over St. Helena, Port Royal, and all entrances southward.

Appoint-
ment of Pilot
Commission-
ers.

SEC. 2. The said Commissioners shall have power to organize, from time to time, a Board of Examination, by adding to their number two nautical men, if deemed necessary by them, to be chosen by themselves; and it shall be the duty of the said respec-

Board of Ex-
amination—
their powers
and duties.

A. D. 1872.

tive Examining Boards to examine each and all applicants as to his or their competency to work or manage vessels, and, generally, to discharge the duties of a pilot or pilots; and no license or branch shall be granted to any person, unless he receive the certificate of competency, signed by a majority of such Examining Board.

Examination
fee.

SEC. 3. That each and every applicant for a branch, or license, before he shall receive a certificate from a majority of the Examining Board, shall pay to said Board the sum of five dollars, to defray the expenses of such examination, and of issuing said certificate.

Apprentices'
term of ser-
vice.

Masters to
take appren-
tices aboard
vessels.

When they
may receive a
full branch li-
cense.

Applicants
to be eighteen
years of age.

Traders be-
tween either
ports for five
years entitled
to full branch.

SEC. 4. Apprentices shall be taken by full branch pilots only, with the approval of the respective Boards of Commissioners of Pilotage, and shall serve two years before receiving a nine-foot branch or license; the last year of service, it shall be the duty of their masters to take the said apprentices on board of all vessels, so that they may become completely competent to discharge their duties. After holding their branches, or licenses of nine feet, for one year, if competent, to the satisfaction of their masters, they shall receive a twelve-foot branch, or license, which they must hold in service for two years, at the end of which time they may receive a full branch, or license. In all cases, however, the applicant for apprenticeship shall be eighteen years of age previous to receiving his nine-foot branch, or license: *Provided*, That any person or persons who have been trading between either of the ports above mentioned and other ports, for a period of five years, shall, upon a satisfactory examination before either of the respective Boards of Commissioners, be entitled to receive from said Board a full branch or license.

License to
be given by
Pilot Com-
missioners.

Oath requir-
ed of each ap-
plicant before
delivery of
license.

SEC. 5. The said respective Boards of Pilot Commissioners shall give to the applicants approved by them either a limited license or branch, or a full license or branch; according as the application and discovered fitness of the applicant shall be, signed by a majority of the Examining Board, or by their Chairman, as the majority of said Board may direct, requiring of each applicant, before the delivery to him of such license or branch, to swear and subscribe to the following oath, to be administered by the President of the Board, to wit: "I, A B, do solemnly swear (or affirm) that I will well and faithfully, and according to the best of my skill and knowledge, execute and discharge the business and duty of a licensed pilot, (or apprentice, as the case may be,) for the bar and harbor of Charleston, (Beaufort or Georgetown, as the case may be;) and that I will, at all times, wind, weather and health permitting, use my best endeavors to repair on board of all ships and vessels that I shall see, and conceive to be bound for, or coming into, or going out of, the port or harbor of Charleston, (Beaufort or Georgetown, as the case may be,)

unless that I am well assured that some other licensed pilot is there on board the same; and I do further swear (or affirm) that I will, from time to time, and at all times, make the best dispatch in my power to convey safely over the bar of Charleston, (Beaufort or Georgetown, as the case may be,) every vessel committed to my care, in coming in or going out of the same; and that I will, from time to time, and at all times, truly observe, follow and fulfill, to the best of my skill and ability and knowledge, all such orders and directions as I shall or may receive from the Commissioners of Pilotage, relative to all matters and things that may appertain to the duty of a pilot; and, further, that I will not, at the same time, be owner, part owner, nor be interested, directly or indirectly, in more than two boats employed in the business of the pilotage of the bar and harbor of Charleston, (Beaufort or Georgetown, as the case may be): So help me God."

A. D. 1872.

SEC. 6. That after any such person or applicant shall have taken the oath or affirmation aforesaid, and subscribed to the same, the said Board of Commissioners shall require such person to execute to them, and their successors in office, a bond, with two sureties, to be approved by them, in the sum of five hundred dollars, if his license be of nine or twelve feet, or in the sum of one thousand dollars, if it be a full license; which bond shall be conditioned for the faithful discharge of his duties as such pilot; whereupon the said Board of Commissioners shall deliver to such person a license, to be measured by his respective draft of water; said license to be signed, either by the President of the said Board, under direction of a majority thereof, or by such majority themselves.

Bond of applicants—amount of, and by whom approved.

SEC. 7. That the respective Boards of Commissioners of Pilotage shall have power and authority, for any cause, or charge, to them satisfactorily proven, to order and direct any or all pilots, for their respective bars and harbors, to deliver up his or their license or licenses, and to take out a new license or licenses; but no pilot, who shall satisfy them of the falsity of any such charge brought against him, shall be required to pay an additional fee for his new license; and it shall be the duty of the said respective Boards of Commissioners to lay before the County Commissioners of their respective Counties, immediately after the execution thereof, all bonds given by pilots; and, if the said County Commissioners be not satisfied with the security on such bond, every pilot, whose sureties shall be deemed insufficient, shall give a new bond, with such sureties, and within such time, as shall be approved or demanded by the said County Commissioners; in which case the pilot shall receive a new license on surrendering his former one; and every pilot not complying with these conditions, or any of them,

License—by whom delivered and signed.

Pilots to deliver up licenses for sufficient cause.

Bonds of Pilots to be examined by County Commissioners.

A. D. 1872.

Number of
Pilots to be
determined
by Board of
Commission-
ers.

shall forthwith forfeit his license, and shall be disqualified to act as pilot at either of the respective bars or harbors aforesaid for the period of twelve (12) months. The number of pilots for either of the bars or harbors above named shall be determined by the respective Boards of Commissioners, aforesaid: *Provided*, That said Boards of Commissioners shall make no distinctions in the selection of pilots on account of race, color or previous condition.

Powers of
Boards of Pi-
lotage in case
of dereliction
of duty.

SEC. 8. The majority of the respective Boards of Pilotage aforesaid shall have power and authority, in their respective jurisdictions, to take away the license of a pilot for a given time, or to declare his license null and void, as the nature of the case may demand, upon charge of any dereliction of duty, made and proven against him: but each and every pilot, against whom any charge shall be made, shall be entitled to a hearing before his Board of Pilot Commissioners, and to make any proper defense to such charge before said Board of Commissioners; and if any pilot has forfeited his license, or is no longer entitled to the use of his license, by virtue of this or any other clause of this Act, the Commissioners of Pilotage shall have the power to order the Harbor Master of their respective harbors to call on him for the surrender of his license; and, if he shall refuse to give up the same to the Harbor Master, on demand, the latter shall notify, for one week in the public daily papers, or for three weeks in the public weekly papers of his respective harbor, that such person has no longer a right to act as pilot, until he be reinstated by the Board of Commissioners.

No Pilot shall
absent him-
self without
permission,
nor hire out
his pilot boat.

SEC. 9. No pilot shall discontinue to act for three months, nor shall he absent himself at any time from his respective port or harbor without permission from the Commissioners of Pilotage of his said port or harbor; nor shall any pilot hire out his pilot-boat to any person or persons whomsoever, unless he substitute another boat, to be approved by the Commissioners aforesaid. But the said Commissioners shall never give such permission unless, in their opinion, there shall be a sufficient number of boats actually engaged in the service of pilotage. Nor shall any pilot substitute or employ, as a pilot, any one from whom license has been taken away, or become-forfeited, as aforesaid. And any pilot herein in anywise offending shall, for each and every such offense, be deprived of his license by the Commissioners, or a majority of them; and, if so deprived, he shall be proceeded against, as provided in the latter part of the preceding Section of this Act; and shall, moreover, forfeit and pay to the State a sum not exceeding one hundred dollars.

No Pilot to
be employed
whose license
was ever for-
feited.

Penalty for
violation of
this Section.

Duties of Pi-
lots in case of
war.

SEC. 10. That, in case of war, no pilot shall bring in or furnish supplies to any armed vessels belonging to an enemy at war with the United States, or shall carry out any armed vessel to such

enemy, without being ordered to do so by the constituted authorities of the United States. And every pilot herein in anywise offending shall forthwith forfeit his license, and be disqualified forever after from acting as a pilot; and if, at any time, the President of the United States, or the Governor of the State, shall prohibit to furnish with supplies, or to bring in or carry out any vessel or vessels belonging to any nation or State, or to a subject or subjects of any nation or State, it shall be the duty of every pilot, for either of the bars or harbors hereinbefore named, to comply with every such prohibition, on pain of incurring the same penalty and punishment as for like offense in time of war.

SEC. 11. That every pilot, cruising or standing out to sea, shall offer his services, first, to the vessel nearest the bar, except when he sees a more distant vessel in distress, under a penalty of fifty dollars for each and every such neglect or refusal, either of approaching the nearest vessel, and of boarding her, if required, or of aiding any vessel showing signals of distress in the case above mentioned. And the Commissioners of Pilotage, or a majority of them, may, at their discretion, deprive the said pilot of his license: *Provided, however,* That nothing herein contained shall extend, or be construed to extend, to vessels of the description mentioned in the preceding Section; all of which vessels it shall be the duty of every pilot to avoid as much as possible, whenever they are known to, or justly suspected by, him as such.

SEC. 12. Whenever the Governor of the State shall issue a proclamation, subjecting vessels from certain ports or countries to quarantine, it shall be the duty of every pilot, conducting any such vessel over the bar of the ports above named, to bring her to the quarantine ground, and to remain on board, or go to the Lazaretto, without coming up to the port until the Port Physician shall permit it; and, during the time for which any such pilot remains on board any such vessel, or stays at the Lazaretto, he shall be allowed four dollars for each and every day of his remaining on board or staying at the Lazaretto, as aforesaid, and be found in necessary provisions and accommodations, at the expense of the master, owner or consignee of such vessel. And every pilot, neglecting or refusing to bring any such vessels to the quarantine grounds, or coming to the port without previously obtaining the Port Physician's permission, or before the time limited by the said Port Physician, shall, for each and every such offense, be deprived of his license, and shall not obtain another license before the expiration of one year, and forfeit and pay the sum of fifty dollars to the State.

SEC. 13. The pilot ground shall extend, from each of the bars above named, thirty miles eastward, southward and westward, and

A. D. 1872,

Services of Pilots to be offered to the nearest vessel except in case of distress.

Penalty.

Proviso.

Duties of Pilots when vessels are subjected to quarantine.

Pay of Pilots while on board of vessels at quarantine.

Penalty for neglect or refusal.

Extension of pilot ground.

A. D. 1872.

Masters of vessels refusing to receive a licensed Pilot liable to said pilot for the fees allowed by this Act.

Proviso.

any master or commander of a vessel bearing toward either of said coasts or bars, (all coasters and other vessels trading between any ports within this State excepted,) who shall refuse to receive on board a licensed pilot, who shall offer to board, shall be, and is hereby, made liable, on his arrival at either of said ports, to pay the pilot who first offered to go on board and take charge of such vessel, the rates and fees allowed and established as hereinafter mentioned, as if such pilot had actually brought in such vessel to either port: *Provided, however,* That if a pilot having a nine or twelve-foot license only, as the case may be, is refused by the master of a vessel of greater draft, such master shall not be liable to him for her pilotage: *And provided, also,* That if a pilot refuse to produce his license to the master of a vessel, when the latter demands it, the fees of pilotage shall not be charged against the master rejecting the services of such pilot.

Rates and fees of Pilots.

SEC. 14. That any pilot boarding a vessel on pilot ground shall be entitled to receive from the master, owner or assignee, four dollars for every day of his being on board previous to her coming into port, in addition to the fees of pilotage hereinafter established. That every pilot of an inward bound vessel, who shall be directed by the master to anchor in the roads, and afterwards bring her into port, shall be entitled to receive four dollars from the master, owner or assignee; also, four dollars to bring a vessel anchored in the stream, (at the request of the master, owner or consignee,) and moor her at the wharf; four dollars to unmoor, (at the request of the master, owner or consignee,) and anchor in the stream, or from the stream to the roads, to be paid as aforesaid.

Pilot bringing in a vessel entitled to carry her out.

SEC. 15. That the pilot who brought in the vessel shall have the exclusive right of carrying her out, unless the master or commander of such vessel shall, within a fortnight after his arrival in port, prove to the satisfaction of the Pilot Commissioners at said port, or a majority of them, that the same pilot had misbehaved during the time he had charge of such vessel, or unless the said pilot shall have been deprived of his license before the departure of such vessel; in either of which cases another pilot may be employed, who shall be entitled to receive the outward pilotage; and every pilot having, or becoming entitled to carry out a vessel, shall either attend in person or procure another pilot of his own degree to attend for him on such outward bound vessel, after twelve hours' notice by the master, by the hoisting of his jack at the foretop-masthead for that time during daylight; but if such pilot should neither attend in person, nor substitute another pilot of equal degree with himself, the master of such vessel shall be at liberty, after the expiration of the above limited space of time, to employ another pilot of equal

Master to notify Pilot by hoisting a signal.

license, who shall be bound, if not previously engaged, to carry such vessel out, and who shall be entitled to the outward pilotage; and any pilot who shall carry out a vessel, not being entitled to do so, shall be liable to the pilot who had the right, in the amount of pilotage paid, or due, for carrying her out; and any pilot who brought in a vessel shall have a right to demand his fees of pilotage, and the lawful charges, as aforesaid, before her departure from port. And whenever a pilot, having a right to carry out a vessel, is apprehensive that his fees of pilotage may not be paid by her master, owner or consignee, he shall have a right to demand his fees in advance, or such security for the payment thereof as shall be reasonable and satisfactory; and, on failure thereof, may refuse to carry her out.

A. D. 1872.

When Master entitled to employ another Pilot.

Penalty for carrying out a vessel when not entitled to.

When fees may be demanded in advance.

SEC. 16. That no person shall be authorized or permitted to conduct and pilot any vessel over the bar of either of the harbors aforesaid, either when coming into or going out of port, unless such person shall have a license, as aforesaid; and every person not having received such license, or having forfeited the same, or being deprived thereof, as aforesaid, who shall presume to bring into or carry out of either of the aforesaid ports, any vessel which has to cross the bar, as well as every pilot having a limited license of twelve or nine feet, who shall presume to conduct a vessel of more than nine or twelve feet over either of the bars aforesaid, either in coming in or going out, shall be entitled to no fee, gratuity or reward for the same, but shall pay the regular pilotage to the pilot who shall first offer: *Provided, however,* That the foregoing prohibition shall not extend to prevent any person from assisting any vessel in distress, without a pilot on board, if such person shall deliver up such vessel to the first pilot who shall afterwards come on board and offer to conduct such vessel; and, also, that the captain and crew of a vessel shall not be liable to such fine for conducting her over the bar without the aid of a pilot, if, in either of the two last mentioned cases, a signal for a pilot is worn.

Penalty for piloting a vessel over the bar without a license.

Proviso.

SEC. 17. That every master of an outward bound vessel shall, at the appointed time of his departure, have his vessel in readiness for sailing, and, as a signal thereof, hoist a jack at the foretop-mast-head, and every master of a vessel who shall detain a pilot at the time appointed, so that he cannot proceed to sea, though wind and weather should permit, shall pay to such pilot four dollars per day during the time of his actual detention on such vessel.

Signal of readiness for sailing.

Fees of Pilots in case of detention.

SEC. 18. That if any master or commander of a vessel shall carry off any of the pilots for either of the bars or harbors aforesaid, he shall allow every such pilot four dollars for each and every day during his absence, and supply him with provisions and other ne-

Fees of Pilots carried off by Masters of vessels.

A. D. 1872.

Proviso.

cessaries, in the same manner as is usual for maintenance and accommodation of masters of vessels, and the master, as well as the owner, consignee and security of such vessel, shall be liable for the aforesaid sum: *Provided, however,* That no pilot, who is carried off as aforesaid, shall be entitled to any of the sums aforesaid if such vessel shall have laid to for the space of sixteen hours after having crossed the bar, and no pilot boat shall have appeared at the time to receive such pilot on board: *Provided, also,* That the master, owner or consignee shall defray the expense of such pilot back to either of said ports, as the case may be.

Each Pilot boat to be numbered as the Harbor Master may direct.

Penalty for neglect.

SEC. 19. That the owner or owners of every pilot boat, or pilot or pilots who may hire such boat, or may be employed thereon, shall cause such number to be put on the most conspicuous place of each boat's main and foresail as may be designated by the Harbor Master of the respective ports, and the figures designating the number of the boats, as aforesaid, shall be at least five feet in length, and be made to appear as conspicuous as possible, by being placed on each side of the main and foresail of every boat used in the pilotage; and every pilot omitting or neglecting to number the boat in which he may be interested, shall, on conviction before the Commissioners of Pilotage, be deprived of his license, and shall, in addition, be liable to pay a fine of one hundred dollars.

No Pilot to be interested in more than two boats.

SEC. 20. That if any of the said pilots shall enter or be connected in co-partnership in the business of pilotage of either of the bars and harbors aforesaid, as owner, part owner, or interested, directly or indirectly, with more than two boats employed in the said pilotage, the Commissioners of the Pilotage shall be, and they are hereby authorized, to take away the license of such pilot, and declare the same null and void; and such pilot, in any manner offending against this Section, shall forfeit and pay a sum not exceeding five hundred dollars.

Pilot to remain aboard a vessel when the Master requires it.

SEC. 21. That it shall be the duty of a pilot, if required by the master or commander of a vessel, to remain on board while such vessel is anchored in the roads, outward bound, at the rate of four dollars per day; and in case of refusal or neglect, the pilot shall be deprived of his license by the Commissioners of Pilotage of his port, and pay a sum not exceeding fifty dollars.

Rates and fees to be determined by Commissioners of Pilotage.

SEC. 22. That the master, owner or consignee of any ship or vessel, for the consideration of the pilotage of the said ship or vessel, inward to, or outward from, either of the aforesaid ports, shall pay to the licensed pilot who shall take charge of the same, the several sums of money, rates and fees, which the Commissioners of Pilotage of the aforesaid respective harbors or ports may determine and fix upon, according to the draft of water of the said ship or

vessel; and the Commissioners of Pilotage of the respective ports or harbors aforesaid, are hereby authorized and directed to determine, for their respective ports or harbors, such rates and fees as to them shall seem meet and proper, both as well for the draft of the ship or vessel as for taking such ship or vessel around any river requested by the master, owner or consignee, and for taking letters from either of the harbors or ports aforesaid, to vessels outside the respective bar, and waiting orders, and delivering them on board, the amount of inward pilotage of such vessel's draft.

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SEC. 23. That whenever a vessel has crossed over, or is inside of, either of the aforesaid bars, the master shall not be compelled to take a pilot; but, if he demands the services of a pilot, he shall pay the customary fees of pilotage, as in other cases.

Master, when not compelled to take a Pilot.

SEC. 24. The respective Commissioners of Pilotage shall have power and authority to prescribe to the several pilots of their respective ports such orders and regulations, not inconsistent with this Act, as to them, or a majority of them, may appear suitable and proper; and any pilot neglecting or refusing to conform to any such orders or regulations, shall forfeit and pay, for each offense, the sum of fifty dollars.

Rules and regulations.

SEC. 25. That the Harbor Master of each of the aforesaid harbors shall be bound to keep constantly a complete register, specifying the licenses of all the pilots (with their residences) of his respective bar and harbor, and of all boats to which they are severally attached, and the name, number, and the owner or owners of the same, and also to register any change or alteration that may take place in either of the above particulars; which change or alteration the pilots are hereby required, from time to time, to report to the Harbor Master of their respective port, as they may occur, in order that masters of vessels, or persons interested, may have it always in their power to know from him at once who are the responsible persons on board of each boat, and thereby obtain such information as they may find necessary. And every pilot or owner of a pilot boat, neglecting or refusing to report, as aforesaid, shall, for each omission, forfeit and pay a fine not exceeding fifty dollars; and it shall be the duty of said Harbor Master, on the first Monday of each month, to report to the Commissioners of Pilotage a register, as above specified, and also such pilots as may have neglected or refused to comply with the foregoing requisitions; and the said Harbor Master shall furnish every master of a vessel coming to the Harbor Master's office with a copy of this Act, for the purpose of perusing it at said office, without charging, or being allowed to charge, any fee or perquisite for any or either of the aforesaid services; and, for every neglect of duty in the prem-

Harbor Master required to keep a complete register.

Pilots to report to Harbor Master the responsible persons on each boat.

Penalty for neglect.

Harbor Master to furnish copies of this Act to Masters of vessels

A. D. 1872.

ises, the said Harbor Master (of either of the aforesaid ports) shall forfeit and pay a sum not exceeding fifty dollars, to be imposed by the Commissioners of Pilotage at his respective port, and deducted from his salary.

Duties of Commissioners of Pilotage in case of marine disaster.

SEC. 26. That it shall be the duty of the Commissioners of Pilotage of either of the ports aforesaid, on the occasion of any marine disaster to any vessel in charge of a pilot of their respective port, to make a careful examination of the cause or causes of such disaster, by immediately summoning before them the pilot in charge of the vessel, and obtaining such testimony from the parties interested or not, as the case may be, in their power; and the result of such investigation shall be placed upon record, copies of which shall be furnished, when desired, at the expense of the applicant. The marine reports of the daily papers, or private information, shall be deemed sufficient cause for such investigation by the Commissioners of Pilotage.

Disposition of fines recovered under this Act.

SEC. 27. That each and every fine, forfeiture and penalty for each and every offense against this Act, or any part, clause or article, shall be prosecuted, sued for and recovered in any Court of competent jurisdiction, for the use of the State; and the penalties imposed in this Act shall, in every case, be recovered, although the Commissioners of Pilotage may not think proper to deprive the pilot in default of his license in any instance herein authorized; and the Commissioners of Pilotage now in office shall act as such until the appointment of others under the provisions of this Act, and shall exercise all the powers vested in the Commissioners of Pilotage under the provisions of this Act.

Commissioners now in office to act until new appointments are made.

Commissioners' term of office.

SEC. 28. The members of the respective Boards of Commissioners herein provided for shall hold their offices for two years, unless sooner removed by the Governor. When a vacancy occurs, a new appointment shall be made for the full term.

Vacancy.

Rights of Pilots already licensed not interfered with by this Act.

SEC. 29. This Act shall not be construed to interfere with the rights of any pilots who already hold either a limited or full branch or license; but all such pilots, after the passage of this Act, shall be subject to all its penalties and forfeitures, and entitled to all its privileges and immunities.

Repealing clause.

SEC. 30. That all Acts or parts of Acts inconsistent with the provisions of this Act, and all Ordinances or parts of Ordinances in conflict or inconsistent with the provisions thereof, be, and the same are hereby, repealed.

Approved February 27, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF COKEBURY."

A. D. 1872.

No. 49.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section seventy-six (76) be so amended, in the second line, by striking out the word "six," and inserting, in lieu thereof, the word "four," so as to read as follows: "The said Town Council shall be governed by an Intendant and four Wardens."

SEC. 2. That Section eighty-four (84) be so amended, in the seventh line, by striking out the word "ten," and inserting, in lieu thereof, the word "five," so as to read: "No tax shall be imposed, in any one year, to exceed the rate of five cents on each hundred dollars of such assessed property."

Rate of taxation limited.

Approved February 27, 1872.

AN ACT TO INCORPORATE THE BROTHERLY ASSOCIATION, OF CHARLESTON, S. C.

No. 50.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. Wallace, B. K. Kinloch, Edward Fordham, M. J. Simonds, Thos. Lesesne, A. E. O'Neil, and their associates and successors, are hereby declared to be a body politic and corporate, in deed and in law, by the name and style of the "Brotherly Association, of Charleston, S. C.," and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, and make new the same, as often as the said corporation shall judge expedient.

Corporators.

Corporate title.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess, and retain to itself, in perpetuity, or for any term of years, any lands for the purpose of interments, or other property, of what nature soever, not exceeding the value of fifty thousand dollars, or to sell or alien the same, as the said corporation shall think fit; and, by its corporate name, to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as, for the order, good government and management thereof, may be deemed necessary and expedient.

Powers and privileges.

A. D. 1872.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 27, 1872.

No. 51.

AN ACT TO PROVIDE FOR THE SPEEDY APPORTIONMENT OF STATE APPROPRIATIONS, MADE FOR THE SUPPORT AND MAINTENANCE OF FREE COMMON SCHOOLS.

Appropriation to be appropriated within fifteen days

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Superintendent of Education be, and he is hereby, authorized and empowered, if, in his judgment, the exigencies of the case require, to apportion to the several Counties of the State any State appropriation made for the support and maintenance of Free Common Schools, within fifteen (15) days after said appropriation shall have been made.

SEC. 2. That this Act shall take immediate effect.

Approved February 27, 1872.

No. 52.

AN ACT TO CHANGE THE NAME OF WM. NATHANIEL MARTIN, AND TO MAKE HIM ONE OF THE LEGAL HEIRS OF HIS FATHER.

Preamble.

Whereas, Wm. B. Davis, a citizen of Williamsburg County, is the father of an illegitimate child, a boy, now going by the name of Wm. Nathaniel Martin; and, whereas, said Wm. B. Davis is desirous of having the name of said child changed to that of Wm. Nathaniel Davis, and to have conferred upon him all the rights of legitimacy; therefore,

Wm. N. Martin's name changed to Davis.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the said Wm. Nathaniel Martin be changed to that of Wm. Nathaniel Davis.

Rights of legitimacy conferred on him.

SEC. 2. That all the rights of legitimacy are hereby conferred upon the said Wm. Nathaniel Martin, and that he be considered one of the legal heirs of his father, Wm. B. Davis, as if born in lawful wedlock.

Approved February 27, 1872.

AN ACT TO INCORPORATE THE SPRINGFIELD BAPTIST CHURCH,
OF THE CITY OF GREENVILLE, S. C.

A. D. 1872.

No. 53.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said Society be, and are hereby, incorporated, and are hereby declared to be a body corporate, by the name and style of the Springfield Baptist Church, and by that name and style shall have a succession of officers and members, and shall have a common seal.

Co porate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value fifty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued, in any Court of competent jurisdiction in this State, and make such rules and by-laws, not repugnant to the laws thereof, as they may deem necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 27, 1872.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF BARNWELL COUNTY TO ESTABLISH A PUBLIC ROAD FROM BINAKER'S BRIDGE, VIA THE TOWN OF GRAHAMS AND HONEY FORD, ACROSS THE BIG SALKEHATCHIE SWAMP, IN THE VICINITY OF RUSH'S MILL, TO INTERSECT THE BUFORD'S BRIDGE AND BARNWELL ROAD AT THAT POINT.

No. 54.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Barnwell County be, and they are hereby, authorized, empowered and required, immediately after the passage of this Act, to lay out, make and keep in repair a public road, leading from Binaker's Bridge, through the town of Grahams, *via* Honey Ford, on the Little Salkehatchie Swamp, to the road leading from Buford's Bridge to Barnwell C. H., crossing the Big Salkehatchie Swamp at or near Rush's Mill.

Road from
Binaker's
Bridge.

SEC. 2. That said County Commissioners shall appoint a competent person to survey and lay out said road; and, immediately thereafter, cause the same to be constructed.

Appointment
of Surveyor.

SEC. 3. That, in the construction of said road, the Commissioners aforesaid shall cause to be constructed and erected such bridges

A. D. 1872.

Contract to
be awarded to
lowest bidder

as shall be recommended by the surveyor aforesaid; and they shall cause public notice to be given, with the specifications required, and shall award the building of the said bridges to the lowest bidder: *Provided, however,* That the said bidder shall file his bond, with proper security, in double the amount of said contract, for the faithful carrying out of its provisions, in the custody of the proper officers: *And provided, also,* That the cost of erecting said bridges shall not exceed three hundred dollars.

County Com-
missioners to
call out per-
sons liable to
road duty.

SEC. 4. That the County Commissioners be further authorized and required to order out all persons liable to road duty, residing within four miles of the line of said road, as located, (except those living in incorporated towns,) to perform three days' work in each month on said road, until its completion, to the satisfaction of the County Commissioners, commencing immediately after the survey of said road has been completed; notice to be given by the County Commissioners in the manner such notices have been heretofore given; defaulters to be fined two dollars for each day's failure to work as notified—the fines to be collected by the County Commissioners, and paid into the Treasury for the use of said County.

Penalty for
default.Bridges—
when to be
completed.

SEC. 5. That the bridges, mentioned in the third Section of this Act, be completed during the first and second month from the commencement of the construction of said road.

Approved February 27, 1872.

AN ACT TO REVIVE AND RENEW THE CHARTER AND CORPORATE PRIVILEGES OF THE TRUSTEES OF THE BENNETTSVILLE ACADEMICAL SOCIETY.

No. 55.

Corporate
privileges re-
vived.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 2, 3 and 16 of an Act entitled "An Act to incorporate certain societies and companies, and to renew and amend certain charters heretofore granted," ratified on the eighteenth day of December, in the year of our Lord one thousand eight hundred and forty-four, be, and the same are hereby, revived and re-enacted, only in so far as to renew the charter and corporate privileges therein conferred upon the Trustees of the Bennettsville Academical Society, to be a body politic and corporate, entitled to all the rights and privileges in said Act granted, not repugnant to the laws of the land; that the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value, the

sum of ten thousand dollars: *Provided*, That the said Trustees of the Bennettsville Academical Society be subject to an Act to provide for the formation of corporations, so far as the same may be applicable: *Provided, further*, That nothing herein contained passed December 17, 1841.

A. D. 1872.

Subject to provisions of Act of 1841.

shall exempt them from the provisions of Section 41 of an Act

SEC. 2 This Act shall be deemed a public Act, and shall continue in force until amended or repealed.

Approved February 27, 1872.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS TO REMOVE IMBECILES FROM THE LUNATIC ASYLUM TO THEIR RESPECTIVE COUNTY POOR HOUSES.

No. 56.

Whereas, experience has established the fact that imbeciles should not be confined in the same building with the insane; and, whereas, the insane—who, as a class, require special treatment—have frequently to be refused admission into the asylum for want of room; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the County Commissioners of the various Counties in the State shall remove their imbeciles from the State Lunatic Asylum, upon due notice from the Superintendent to the said County Commissioners as to the number of imbeciles confined in the institution from their respective Counties, and shall hereafter take care of all such persons in their respective County Poor Houses.

Imbeciles to be removed from Lunatic Asylum to Poor Houses.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved February 27, 1872.

AN ACT TO CHARTER THE STATE SAVINGS AND INSURANCE BANK, OF ANDERSON, SOUTH CAROLINA.

No. 57.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James L. Orr, Jessey W. Norris, O. A. P. Fant, D. M. Watson, Wm. Perry, Jacob Burriss, W. S. Sharpe, B. F. Crayton, John Martin,

Corporators.

A. D. 1872.

Corporate
names.Powers and
privileges.

Capital stock.

President and
Directors—
appointment
and duties.Clerks—ap-
pointment
and compen-
sation.

John R. Cochran, John B. Sitton, F. E. Harrison, W. B. Watson, Sr., B. D. Dean, John Wilson and J. W. Harrison, together with such persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The State Savings and Insurance Bank, of Anderson, South Carolina;" and by that name and style shall be, and is hereby, made capable, in law, to have, purchase, enjoy and retain to it and its successors, lands, rents, tenements, goods, chattels and effects, of whatever kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of record, or any other place whatsoever, and have perpetual succession; to have and exercise the rights and privileges of other corporations now existing, or that may hereafter be enacted; and, also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation.

SEC. 2. That the capital stock of said corporation shall be twenty-five thousand dollars, to be divided into shares of one hundred dollars each, and may be increased, from time to time, to a sum not exceeding five hundred thousand dollars, as may be deemed necessary by the Board of Directors.

SEC. 3. The persons named in the first Section of this Act shall be the Directors of this Company until others are appointed by the stockholders, and they may, as soon as proper, appoint a President from among their number, or from among others who may hereafter be associated with them; and the said President shall continue in office for the period of one year from the day of his election, or until his successor is appointed. In case of a vacancy in the office of President or Director, from any cause, the remaining Directors may elect others to supply their places until a meeting of the stockholders shall be held. There shall be five or more Directors who, with the President, shall manage the affairs of the company. Three of said Directors shall constitute a quorum for any and all business purposes of said company. The meetings of the stockholders shall be held in the principal office of the corporation, which shall be designated by the Board of Directors.

SEC. 4. The President and Directors shall appoint such clerks and other officers as they may find necessary properly to conduct the business of said company, and allow them suitable compensation; all of which clerks and officers shall hold their places during the pleasure of said President and Directors.

SEC. 5. The President and Directors shall have power to appoint agents in any part of the State or elsewhere, and, at their discretion, may take from them bonds, with security, conditioned for the faithful performance of their duties; such agents being removable at the pleasure of the President, subject to the approval of the Board of Directors, or by the Board of Directors.

A. D. 1872.

Agents.

SEC. 6. The mode of voting at the meetings of said company, shall be one vote for each share of stock, and every stockholder may, at pleasure, by power of attorney or in person, assign or transfer his stock in the company, on the books of the same, or any part thereof, not being less than a whole share.

Mode of voting.

SEC. 7. The first annual meeting of the stockholders of said company shall be on the first Tuesday of June, 1872, and thereafter on the same day of each year: *Provided*, The said stockholders, at any regular meeting, or a Board of Directors, may, at any time, change the day of said annual meeting; and the President and Directors, may, at any time, call a general meeting of the stockholders, and any number of stockholders, owning not less than one-third of the whole number of shares, may require the President to call such meeting, and, on his refusal to do so, may themselves call such meeting, in such case giving at least ten days' notice, by publication in one or more newspapers published in the city of Columbia.

Annual meetings.

General meetings.

SEC. 8. The members of the company shall not be liable for any loss, damage or responsibility, other than the property they have in the capital and funds of the company, to the amount of shares held by them, respectively, and any profits arising therefrom not divided.

Responsibility of members.

SEC. 9. That said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks, in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company, to lend money upon personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange, or other evidences of debt, and use their property in any manner incidental to a banking, insurance and trust business, or the general business of the company.

Investment of its capital stock.

SEC. 10. All policies of insurance, and other contracts made by said company, signed by the President, and countersigned by the Secretary, shall be obligatory on said company, and have the same effect as if attested by a corporate seal.

Insurance policies.

SEC. 11. This Act shall be in full force after its passage.

Approved February 27, 1872.

A. D. 1872.

No. 58.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE YEMASSEE AND MILLEN RAILROAD COMPANY, IN THE STATE OF SOUTH CAROLINA."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Yemassee and Millen Railroad, in the State of South Carolina," approved March 9, A. D. 1871, be amended as follows, to wit, the words: "*Provided*, That the said work shall be commenced within one year, and completed within five years after the passage of this Act," occurring in the (7th) seventh, (8th) eighth and (9th) ninth lines of Section 4, be changed so as to read: "*Provided*, That the said road shall be commenced within (3) three years after the passage of this Act, and completed within (5) five years after the date of commencement of labor."

Road to be commenced within three years,

SEC. 2. That nothing contained in said charter shall be so construed as to exempt said corporation from the provisions of Section 41 of "An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted," approved December 17, 1841.

Said corporation not exempt from provisions of Act of 1841.

Approved February 27, 1872.

No. 59.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE COLUMBIA, WALTERBORO AND YEMASSEE RAILROAD COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Columbia, Walterboro and Yemassee Railroad Company," approved March 7, 1871, be amended as follows, to wit: The words, "*Provided*, That the said road shall be commenced within one year and completed within five years after the passage of this Act," occurring in the seventh, (7th,) eighth (8th) and ninth (9th) lines of Section (8) eight, be changed so as to read: "*Provided*, That the said road shall be commenced within three years after the passage of this Act, and completed within five years from date of commencement of labor." That the second Section of said Act shall be amended by striking out the

Road to be commenced within three years.

word "possible," wherever it occurs in said Section, and inserting, in place thereof, the word "practicable;" and that the third Section of said Act shall be amended by striking out the words "one hundred," in the eighth line of said Section, and inserting, in place thereof, the words "twenty-five."

A. D. 1872

SEC. 2. That nothing contained in said Act of incorporation shall be so construed as to exempt said corporation from the provisions of Section 41 of "An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted," approved December 17, 1841.

Not exempt
from provisions
of Act of
1841.

Approved February 27, 1872.

AN ACT TO RE-CHARTER THE FERRY OVER THE COMBAHEE
RIVER, SOUTH CAROLINA, KNOWN AS THE COMBAHEE FERRY.

No. 60.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the Ferry over the Combahee River (known as the Combahee Ferry) be, and the same is hereby, rechartered, and vested in Arthur Middleton, his heirs and assigns, for a term of fourteen years, with the following rate of toll: For each man and horse, ten cents; for each horse, led, five cents; for each foot passenger, five cents; for each wagon, drawn by four horses, seventy-five cents; for each wagon and carriage, drawn by two horses, fifty cents; for each wagon, drawn by one horse, twenty-five cents; for each gig or sulky, twenty-five cents; for each cart and horse, twenty-five cents; for each head of cattle, five cents; for each hog, sheep or goat, three cents; for long or double ferriage, double the amount of the above rates: *Provided*, That the said Arthur Middleton, his heirs or assigns, shall keep one or more good, substantial ferry boats, together with a suitable rope or chain, or such other contrivance as will insure safe and prompt transportation across said stream: *Provided, further*, That children going to and returning from school, and voters going to and returning from the polls on election day, shall be passed free of charge over said ferry.

Vested in
Arthur Mid-
dleton.

Rates of
toll.

Ferry boats.

Persons en-
titled to free
transporta-
tion.

Approved February 27, 1872.

A. D. 1872.
No. 61.

AN ACT TO CHANGE THE NAMES OF LEE ABRAMS, JOHN ABRAMS, DUNKLIN ABRAMS AND MARY ABRAMS, TO LEE FERGUSON, JOHN FERGUSON, DUNKLIN FERGUSON AND MARY FERGUSON, RESPECTIVELY, AND TO PERMIT CHARLES M. FERGUSON TO ADOPT THEM, AND MAKE THEM HIS LAWFUL HEIRS.

Preamble.

Whereas the aforesaid Lee Abrams, John Abrams, Dunklin Abrams and Mary Abrams are all the minor children of Frances E. Abrams, now intermarried with the said Charles M. Ferguson, who is desirous of treating said children, in every respect, as his own, to confer upon them his own name, and to make them his lawful heirs; therefore,

Names changed from Abrams to Ferguson.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of the said Lee Abrams, John Abrams, Dunklin Abrams and Mary Abrams be changed, respectively, to Lee Ferguson, John Ferguson, Dunklin Ferguson and Mary Ferguson.

Made lawful heirs.

SEC. 2. That the said Lee Ferguson, John Ferguson, Dunklin Ferguson and Mary Ferguson shall, hereafter, be deemed lawful heirs of the said Charles M. Ferguson, and shall, upon the death of the said Charles M. Ferguson, providing he die intestate, inherit his property, in common with his other lawful heirs.

Approved February 27, 1872.

No. 62.

AN ACT TO RENEW, AMEND AND EXTEND THE CHARTER OF THE TRUSTEES OF THE PRESBYTERIAN CHURCH, OF SMYRNA, IN NEWBERRY COUNTY.

Corporate name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David B. Piester, George W. Senn, Henry Hendrix, Henry D. Boozer and Thomas N. Boozer, Trustees of the Presbyterian Church, of Smyrna, in Newberry County, and their successors in office, be, and the same are hereby, declared a body politic and corporate, under the name and style of the Trustees of the Presbyterian Church, of Smyrna, in Newberry County, with all the rights, powers and privileges heretofore granted to the Trustees of the Presbyterian Church, of Smyrna, in Newberry District, by an Act of the General Assembly, passed December —, A. D. 1857; and the charter of same is hereby renewed and extended for the term of twenty-five years.

Powers and privileges.

Approved February 27, 1872.

AN ACT TO AUTHORIZE ALIENS TO HOLD PROPERTY.

A. D. 1872.

No. 63.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That real and personal property, of every description, may be taken, acquired, held and disposed of by an alien, in the same manner, in all respects, as by a natural born citizen; and a title to real and personal property of every description may be derived through, from, or in succession to an alien, in the same manner, in all respects, as through, from, or in succession to a natural born citizen.

Aliens entitled to rights of property as natural born citizens.

Approved February 27, 1872.

AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE, S. C. No. 64.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the village of Lewisville, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said village shall be called and known by the name of Lewisville, and its corporate limits shall extend three-fourths of a mile, in each direction, from the new store of W. H. Hennon.

Corporators.

Corporate limits.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the fourth Monday in May, 1872, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

Officers of town.

Electors.

SEC. 3. The said election shall be held at some convenient public place in said village, from six o'clock in the morning until five o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes and declare the election,

Election.

A. D. 1872.

and give notice thereof, in writing, to the Intendant therein being or cause the same to be given, to the person duly elected: *Provided*, The Commissioners of Election of Orangeburg County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make return thereof to the Commissioners, the same as other elections held in this State. And the said Commissioners shall count the votes, and declare the election, and notify the persons so elected, Intendant and Wardens of the said village. The Intendant and Wardens, before entering upon the duties of their offices, shall respectively take the oath prescribed by the Constitution of the State, and, also, the following oath, to wit:

Oath of office.

"As Intendant (or Warden) of the village of Lewisville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars, for the use of said village: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices, nor shall any other person be compelled to serve either as Intendant or Warden more than one year in any term of three years. The Intendant and Wardens for the time being shall

Board of Managers.

always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

Vacancies, how filled.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal or otherwise, an election to fill such vacancy shall be held, by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Judicial powers.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices, (or Justices of the Peace, as the case may be,) in this State, within the limits of the village, except for the trial of small and mean causes; and the Intendant shall, or may, as often as necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Lewisville; and they, and their successors in office hereafter to be elected, may have a common seal, which

General powers and privileges.

shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded, in any Court of justice in this State; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal, or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said village as the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council. And the said Town Council shall have power to establish, or authorize the establishment of, a market house in said village; also, to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same. And the said Town Council, or the said Intendant or Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town, or any of them. And it shall be the duty of the Town Marshals or Constables to arrest and commit all such offenders, when required so to do, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests, and, upon the failure of said officers to perform such duty as required, they shall, severally, be subject to fines and penalties as the Town Council may impose upon them. And all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she or they may have committed. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules and regulations, by-laws and ordinances, respecting the streets, roads and the business thereof, as well as the

A. D. 1872.

Constables—
powers and
duties.Market and
Guard House.Power to ar-
rest and com-
mit to Guard
House.Cost, &c., of
imprison-
ment.

A. D. 1872.

Fines.

police system of the said town, as shall appear to them necessary and proper, for the security, welfare and convenience, and for preserving health, order and good government within said town. And the said Town Council may impose fines for offenses against their by-laws, rules, regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices or Justices of the Peace now have, or may hereafter have, to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person or persons, for violation of any of their ordinances, by-laws, rules and regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in proper Courts of justice in this State; and, also, that nothing herein contained shall authorize said Council to make any ordinances or by-laws inconsistent with, or repugnant to, the laws of the State.

Nuisances.

SEC. 6. That the said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets in said town open and in good repair, and, for that purpose, they are invested with all the powers of County Commissioners, or Commissioners of Roads, for and within the corporate limits of the said town; and they may lay out new streets, close up, widen, or otherwise alter those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town liable to street, road, or other duty therein, and to force the performance of such duties, under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as their ordinances or by-laws may establish, or their

Road and street duty.

Power to close and open streets.

rules and regulations may require, the money so received to be applied to the public use of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine, in the same manner as is now, or may be hereafter, provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town:

Provided, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose premises any such new street, road or way may pass.

A. D 1872.

Proviso.

SEC. 7. The said Town Council shall have power and authority to require all persons owning a lot or lots in said town to close in and to make and keep in good order and repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in judgment of Council, such sidewalk or sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the said Town Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalks, and to close such lot or lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making or repairing is let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of the said Town Council.

Sidewalks.

SEC. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse licenses to keep taverns or retail spirituous liquors, within the corporate limits of the said town, upon such conditions, and under such circumstances, as to them shall seem proper and right: *Provided*, That in no instance shall the price be less than the amount that is established by the State; and all moneys paid for licenses, and for fines and forfeitures, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or retail spirituous liquors to extend beyond the term for which they have been elected. They shall have power to regulate sales at auction within the corporate limits of the town; and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares, or mules, kept for hire, or used for public purposes in said town; and they have the full and only power to impose a tax on all shows or exhibitions for gain or reward, within the corporate limits of said town; they shall have power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real or personal property, lying within the corporate limits of the town, the real and personal property of churches and schools and college associations excepted. That an ordinance declaring the rates of annual taxation

Licenses.

Sales at auction.

Tax on drays and exhibitions.

Tax on real and personal property.

A. D. 1872.

Property
holders to
make oath of
their prop-
erty.

Executions.

Taxes pay-
able in ad-
vance.

Shall give
account of re-
ceipts, expen-
ditures, &c.

upon property and other subjects of annual taxation for the year shall be published at least three weeks during the month of January in each year: *Provided*, That the said Town Council shall have power to levy a tax for this year, under the same rules as is above stated, immediately after the passage of this Act, and that all persons liable to taxation under the same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do during the succeeding month after publication; and, upon the failure to make such returns and payments as required, the parties so in default shall be subject to the penalties provided by law for the failure to pay the general State and County tax, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of said town, except that, in such cases, that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other persons appointed by the said Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property upon which such taxes shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts, except debts due to the State, which shall be paid first; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be payable, in advance, by the parties liable for the same; and, on failure of payment, their property shall be liable for the same, as in manner and form just before stated.

SEC. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term; which account shall be published in one or more papers of the town or County, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and, on failure to do so, shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

SEC. 10. That all ordinances or by-laws passed by the Town Council of Lewisville shall be binding upon the citizens of said town the same as the laws of the State.

SEC. 11. That all Acts and parts of Acts inconsistent with or supplied by this Act be, and the same are hereby, repealed.

SEC. 12. This Act shall be deemed a public Act, and continue in force for the term of twenty years, and until the end of the session of the Legislature thereafter.

A. D. 1872.


OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., February 28, 1872.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

AN ACT TO RELIEVE THE STATE OF SOUTH CAROLINA OF ALL LIABILITY FOR ITS GUARANTY OF THE BONDS OF THE BLUE RIDGE RAILROAD COMPANY, BY PROVIDING FOR THE SECURING AND DESTRUCTION OF THE SAME.

No. 65.

Whereas the State of South Carolina has, by and in pursuance of the provisions of an Act approved the fifteenth day of September, A. D. 1868, entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina," endorsed a guaranty of the faith and credit of the State on four millions of dollars of bonds, issued by the said Blue Ridge Railroad Company, comprehending the Blue Ridge Railroad Company, in South Carolina; the Blue Ridge Railroad Company, in Georgia; the Tennessee River Railroad Company, in North Carolina; the Knoxville and Charleston Railroad Company, in Tennessee, and the Pendleton Railroad Company, in South Carolina, for the purpose of aiding the speedy completion of the said railroad, which bonds are liable for the debts of the said railroad companies; and whereas the present condition of the finances of the State, and of said companies, is such as to make the further continuance of said bonds on the market inexpedient and unadvisable, and a serious injury and prejudice to the credit of the State; and whereas the existence of the said four millions of dollars of bonds, so guaranteed, creates a large liability upon the

Preamble.

A. D. 1872.

part of the State, which the Treasurer may be required to meet at unforeseen and inopportune times; and whereas the liability of the State, on account of such guaranty, should be faithfully met and discharged; therefore, in order to secure the recovery and destruction of the bonds and coupons of the said Company, issued under and in pursuance of the provisions of the aforesaid Act, now pledged in the city of New York and elsewhere, and to relieve the State of all liabilities whatsoever, by reason of its endorsement and guaranty of said bonds:

Financial Agent to deliver to State Treasurer bonds of Blue Ridge Railroad Company.

State Treasurer to cancel the same.

Treasurer to deliver revenue bond scrip to President of Blue Ridge Railroad.

Bond scrip to be printed and signed by State Treasurer.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby directed, with the consent, in writing, of the President of the Blue Ridge Railroad Company, in South Carolina, to require the Financial Agent of the State, in the city of New York, immediately to deliver to the State Treasurer all the bonds of the Blue Ridge Railroad Company, endorsed and guaranteed by the State of South Carolina, which are now in his possession, and held by him as collateral security, for advances made by the said Financial Agent, by the order of the Financial Board, to the Blue Ridge Railroad Company; and upon the delivery of said bonds, the Treasurer is hereby required to cancel the same, in the manner hereinafter directed; and the said Blue Ridge Railroad Company shall thereupon be discharged from all liability to the State on account of such advances.

SEC. 2. That upon the surrender by the said Company to the State Treasury of the balance of the said four millions of dollars of bonds, issued by the said Blue Ridge Railroad Company, and guaranteed by the State, the State Treasurer is hereby authorized and required to deliver to the President of the Blue Ridge Railroad Company, in South Carolina, Treasury certificates of indebtedness (styled Revenue Bond Scrip) to the amount of one million eight hundred thousand dollars, the said certificates to be executed in the manner hereinafter directed; and if the said Company shall not be able to deliver all of said bonds at one time, the Treasurer is authorized and required to deliver to the said President such amount of such Treasury certificates as shall be proportioned to the amount of bonds delivered.

SEC. 3. That, to carry out the purposes of this Act, the State Treasurer is hereby authorized and required to have printed, or engraved on steel, as soon as practicable, Treasury certificates of indebtedness, to be known and designated as Revenue Bond Scrip of the State of South Carolina, in such form, and of such denomination as may be determined on by the State Treasurer and the Presi-

dent of the Blue Ridge Railroad Company, in South Carolina, to the amount of one million eight hundred thousand dollars; which Revenue Bond Scrip shall be signed by the State Treasurer, and shall express that the sum mentioned therein is due by the State of South Carolina to the bearer thereof, and that the same will be received in payment of taxes and all other dues to the State, except special tax levied to pay interest on the public debt.

A. D. 1872.

SEC. 4. That the faith and funds of the State are hereby pledged for the ultimate redemption of said Revenue Bond Scrip, and the County Treasurers are hereby required to receive the same in payment of all taxes levied by the State, except in payment of special tax levied to pay interest on the public debt; and the State Treasurer and all other public officers are hereby required to receive the same in payment of all dues to the State; and, still further to provide for the redemption of said Revenue Bond Scrip, an annual tax of three mills on the dollar, in addition to all other taxes, on the assessed value of all taxable property in the State, is hereby levied, to be collected in the same manner, and at the same time, as may be provided by law for the levy and collection of the regular annual taxes of the State; and the State Treasurer is hereby required to retire, at the end of each year from their date, one-fourth of the amount of the Treasury Scrip hereby authorized to be issued, until all of it shall be retired, and to apply to such purpose exclusively the taxes hereby required to be levied.

Faith and credit of State pledged for redemption of said Scrip.

Annual tax of 3 mills to be levied.

One-fourth of said Scrip to be retired annually.

SEC. 5. That if any such Revenue Bond Scrip is received in the Treasury for the payment of taxes, the Treasurer be, and he is hereby, authorized to pay out such Revenue Bond Scrip in satisfaction of any claims against the Treasury, except for interest that may be due on the public debt.

Treasurer may pay out said Scrip in satisfaction of claims.

SEC. 6. That upon the delivery to the State Treasurer of the said guaranteed bonds of the Blue Ridge Railroad Company, or of any part of them, the Treasurer is hereby required to cause the same to be cancelled and destroyed, in the presence of the President of the Blue Ridge Railroad Company, in South Carolina, and in the presence of a Joint Committee of the Senate and House of Representatives of this State, to be for that purpose appointed.

Cancellation of said bonds.

SEC. 7. That whenever the whole number of the said guaranteed bonds shall have been delivered to the Treasurer, and cancelled, as required by the provisions of this Act, the lien of the State of South Carolina upon the estate, property and funds of the said Blue Ridge Railroad Company, in this State, and of the other associated companies in the States of Georgia, North Carolina and Tennessee, as secured by the provisions of an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Caro-

Lien of State upon the estate of Blue Ridge R. R. discharged and released.

A. D. 1872.

lina," passed on the fifteenth day of September, Anno Domini one thousand eight hundred and sixty-eight, and all other claims or liens which are held by the State against said company or companies, on account of said guaranty, shall, from thenceforth, be forever discharged and released; and should the said company be unable, from any cause, to deliver all of said bonds, such liens shall be discharged and released to an extent which shall be proportional to the amount of such bonds actually delivered.

May change
its name.

Power to is-
sue bonds.

Sales of cer-
tain stock
confirmed.

SEC. 8. That, if the said company shall accept the provisions of this Act, it shall be authorized, if the Board of Directors may desire, to change the corporate name of the company to that of the "Knoxville and South Carolina Railroad Company," and shall have power to extend its railroad, or to construct branches thereof, to any points or places in this State, with all the powers and privileges with which the said company is now vested by the provisions of its charter; and the said company shall also have power to issue bonds, and to secure the same by a mortgage, to such amount, and in such manner as the Board of Directors may direct. And all sales of stock in the said Blue Ridge Railroad Company, in South Carolina, and its associate companies, formerly held by the State and sold by the Commissioners of the Sinking Fund, be, and they are hereby, confirmed.

Penalty for
forging said
scrip.

SEC. 9. That if any person shall forge or counterfeit the Treasury Scrip hereby authorized to be issued, or shall, directly or indirectly, aid or assist in the forging or counterfeiting of such scrip, or shall issue, or in any manner use any such, forged or counterfeited, he shall, on conviction thereof, be fined in the discretion of the Court, and shall be imprisoned in the Penitentiary for a term not exceeding ten years.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 2, 1872.

On the question "Shall this Act become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, pursuant to provisions of the Constitution, resulting: Yeas, 84; nays, 18; and ordered to be sent to the Senate.

By order :

(Signed)

A. O. JONES, C. H. R.

IN THE SENATE, COLUMBIA, S. C., March 2, 1872.

A. D. 1872.

On the question "Shall this Act pass and become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, pursuant to provisions of the Constitution, (Art. III, Sec. 22,) the Act passed, by a *viva voce* vote of: Yeas, 22; nays, 6; and ordered to be returned to the House of Representatives.

By order:

(Signed)

J. WOODRUFF, Clerk of Senate.

AN ACT TO INCORPORATE THE VILLAGE OF SMITHVILLE,
CHRIST CHURCH PARISH, S. C.

No. 66.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the village of Smithville be, and the same is hereby, incorporated; and all the privileges, rights and immunities granted by an Act to incorporate the town of Florence, South Carolina, be, and the same are hereby, vested in the said village; and that the first election, under this Act, to be held on the first Monday in April, 1873, the Clerk of Court for Charleston County do appoint Managers to conduct the same, by giving the proper time and notice thereof.

Rights and
privileges of
charter of Flo-
rence con-
ferred upon
village of
Smithville.

SEC. 2. That A. Smith, Wm. Murrill and David Dial be, and are hereby, appointed Commissioners to fix the boundary of said village; said boundary to extend one mile in every direction from the fork of the Georgetown and Melton Road.

Commission-
ers.

Limits of
town.

Approved March 4, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF OR-
ANGEBURG.

No. 67.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the town of Orangeburg be so amended that, whenever it shall

A. D. 1872.

Board of Appraisers—
their appointment, powers
and duties.

County Treasurer to pay
sum appraised.

become necessary for a new street or road to be opened within the incorporate limits of the said town, it shall be, and is hereby, made the duty of the Town Council of said town to have a Board of Appraisers appointed, to value the damage sustained by the owner or owners of lands through which said street or road is to pass, said Appraisers' Board to consist of three members, to be appointed as follows: One by the Intendant of the town, one by the owner or owners of the lands, and one by the Chairman of the Board of County Commissioners; and any damage caused by the running of said road or street to the owners of the lands shall be appraised by the said Board, and the County Treasurer shall, upon their joint warrant, pay out said sum, as may be appraised, out of any funds in his hands to the credit of the County.

Approved March 4, 1872.

No. 68.

AN ACT TO CHARTER THE WALHALLA FEMALE COLLEGE.

Corporators.

Corporate
name.

Powers and
privileges.

Trustees—
term of office,
and duties.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Dr. Thos. S. Waring, J. W. Stribling, J. A. Beard, C. E. Watson, Dr. A. E. Norman, Rev. B. Holden, Wesley Pitchford, Rev. J. P. Smeltzer, J. J. Norton, W. C. Keith, J. H. Whitner, H. S. Van Deviere, S. P. Dendy, R. A. Thompson, J. P. Mickler, G. M. Yarborough, and their successors in office, be, and are hereby, created and constituted a body politic and corporate, by the name and style of "The Trustees of the Walhalla Female College," for the purpose of organizing, establishing, governing and conducting a seminary of learning in the town of Walhalla, in the State of South Carolina; and that the said body politic and corporate, by the said name of "The Trustees of the Walhalla Female College," shall be capable and liable in law and equity to sue and be sued, to plead and be impleaded, to use a common seal, and to make all such by-laws and rules as they may deem necessary and proper for the regulation, government and conduct of said seminary of learning, except as is hereinafter provided for: *Provided*, That said by-laws and rules be not repugnant to the Constitution and laws of this State, or of the United States.

SEC. 2. That the said Board of Trustees shall hold their office for the term of twenty years, and shall be authorized to appoint such officers as they may think necessary and proper for the organi-

zation and government of their own body. And should any vacancy occur in the Board, by death, resignation or otherwise, the said Board shall have power to fill said vacancy.

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SEC. 3. That the said Trustees and their successors shall have and hold all the estate, property and funds now belonging to said college, and all property, funds, money, donations, legacies and devises which may hereafter be granted, conveyed, bequeathed, devised, or given to said college, in trust, nevertheless, for the use and benefit of said college.

SEC. 4. That the present President, Dr. Thos. S. Waring, shall hold his office during the pleasure of the Board of Trustees, and shall have full power to appoint all Professors, Tutors and Instructors of and in said college, and to remove the same at pleasure, and to exercise such general control and supervision over the Instructors, affairs and government of said college as he may deem advisable, subject to the approval of the Board of Trustees.

Appoint-
ment of Pro-
fessors.

SEC. 5. That the said President shall have power and authority to confer and award such distinction, honors, licenses and degrees as are usually conferred by similar colleges of the United States.

Conferring
of degrees, &c.

SEC. 6. That this Act shall be deemed and taken to be a public Act, and to continue in force until repealed.

Approved March 4, 1872.

AN ACT TO INCORPORATE THE PROVIDENT LAND AND REAL ESTATE COMPANY, OF CHARLESTON, SOUTH CAROLINA.

No. 69.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin H. Hoyt, Thomas A. Davis, Aaron Logan, N. T. Spencer, W. R. Jervay, S. E. Gaillard, Isaac Reed, H. W. Thompson, P. P. Hedges and B. A. Bosemon, Jr., and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Provident Land and Real Estate Company, of Charleston, South Carolina."

Corporators.

Corporate
name.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby

Powers and
privileges.

A. D. 1872.

empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Investment of funds.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper; and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

SEC. 4. This Act to continue in force until repealed.

Approved March 4, 1872.

No. 70. AN ACT TO INCORPORATE THE WILLTOWN NATIONAL GUARDS,
OF COLLETON COUNTY.

Corporators.

Title.

Powers and privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin Rivers, Major Solomon and Chisholm Ford, under the name and style of the Willtown National Guards, of Colleton County, they and their successors and associates in office, be, and they are hereby, incorporated, and made and declared a body politic and corporate, in deed and in law, and, as such body politic, shall have power to use and keep a common seal, the same at will to alter; to make all necessary by-laws, not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

SEC. 2. This Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 4, 1872.

AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM OF THE MEMBERS OF THE GENERAL ASSEMBLY AND SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL THERETO.

A. D. 1872.

No. 71.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the payment of the per diem of the members of the General Assembly and the salaries of the subordinate officers and employees, the sum of one hundred thousand dollars, if so much be necessary, be, and the same is hereby, appropriated out of any funds in the Treasury not otherwise appropriated.

Amount appropriated.

SEC. 2. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish each member of their respective bodies a pay certificate for the amount of the per diem, to include such dates as the General Assembly shall, by concurrent resolution, direct.

Pay certificates of members.

SEC. 3. That such certificates shall conform to the provisions of Section 23, Article II, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

By whom certified and attested.

SEC. 4. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with pay certificates, in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: *Provided, however,* That the pay certificates for services rendered, common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Pay of subordinates.

SEC. 5. That the Treasurer is hereby authorized and directed to pay the said certificates at his counter, out of any funds in the Treasury not otherwise disposed of, prior to any other claim or claims whatsoever, and to hold the certificates as his vouchers therefor; and he is also authorized and required to retain in the Treasury all moneys from incoming taxes, subject to the demands of such orders or certificates; and, should there be a deficiency of funds in the State Treasury, whereby the payment of said certificates cannot be made, the State Treasurer is hereby authorized and directed to borrow whatever amount of money is necessary to pay the said certificates, and to give his obligation, as State Treasurer, for the same, and such obligation shall be good and binding on the State, and shall be paid out of any moneys in the Treasury received

Treasurer to pay certificates at his counter.

Also authorized to borrow money, and give his obligation for the same.

A. D. 1872.

from taxes or from other sources: *Provided, further,* That no part of said moneys shall be used for payment of any claims issued prior to November 28, 1871.

Deficiency
appropriation

SEC. 6. That, for the purpose of meeting the deficiencies in the legislative appropriations for the regular session of 1870 and 1871, such deficiencies, consisting of unpaid certificates for the per diem and mileage of members and attachees of the General Assembly, the sum of one hundred and thirty thousand dollars be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated: *Provided,* That no obligation of the Treasurer shall be given, and no payment made, exceeding the amount named in the first and sixth Sections of this Act.

Approved March 4, 1872.

No. 72. AN ACT TO INCORPORATE THE MOUNT ZION M. E. CHURCH,
OF KINGSTREE, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mount Zion M. E. Church, of Kingtree, South Carolina, is hereby incorporated, with all the rights and privileges awarded to religious denominations in this State.

Rights and
privileges.

SEC. 2. That the said church may acquire property, real or personal, for religious and educational purposes, and may dispose, regulate and govern the same as they may deem proper, in accordance with their laws and discipline; such laws not being repugnant to the laws of the land.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 4, 1872.

No. 73. AN ACT TO INCORPORATE THE SPARTANBURG FEMALE COL-
LEGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel B.

Jones, President of Spartanburg Female College, with his associates and successors, be, and are hereby, declared a body politic and corporate, by the name and style of the "Spartanburg Female College," located in the town of Spartanburg, South Carolina.

A. D. 1872.

Corporat
name.

SEC. 2. That the said corporation shall have power, in its corporate name, to sue and be sued, plead and be impleaded, in any Court of law in this State; to purchase and hold real and personal estate; to have a seal, and to make all such by-laws for the government of said corporation as may be deemed necessary, not inconsistent with the laws of the State.

Powers.

SEC. 3. That the said corporation shall have power to elect professors for said college; to fill all vacancies as may occur among them; and to remove them at discretion; to prescribe a course of study to be pursued by the students; to confer degrees and award diplomas, and such other honorary distinctions to graduates as are common in the colleges of similar grade in the United States.

Professors—
election of.Course of
study, &c.

SEC. 4. That the private as well as the corporate property of the corporators shall be liable for all debts contracted for the college by its authorized agents.

Liability of
corporators.

SEC. 5. That the said corporation shall have power to take and hold, by donation, bequest or purchase, real and personal property, for the use of said college, to any amount not exceeding thirty thousand dollars.

Power to
hold and dis-
pose of prop-
erty.

SEC. 6. That this Act shall continue in force until repealed.

Approved March 4, 1872.

AN ACT TO RE-CHARTER THE TOWN OF FROG LEVEL.

No. 74.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons residing within the area of a square, each side whereof is one (1) mile, and the centre whereof is the public well, in the town of Frog Level, County of Newberry, are hereby created a body corporate, under the name of the town of Frog Level, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning, by an Act approved the ninth day of March, A. D. 1871.

Corporators.

Provisions of
charter of
Manning con-
ferred upon
Frog Level.

A. D. 1872.

SEC. 2. That this Act shall be taken and deemed a public Act in all Courts of justice, and shall continue in force until altered, amended or repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 4, 1872.

No. 75. AN ACT TO GRANT, RENEW AND AMEND THE CHARTER OF THE VILLAGE OF ROCK HILL, IN THE COUNTY OF YORK.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within the State, and sixty days in the village of Rock Hill, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said village shall be called and known by the name of Rock Hill, and its corporate limits shall extend over an area of a square, each side whereof is one mile, and the centre whereof is "Gordon's Hotel."

Corporators.

Corporate limits.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the second Monday of January, 1873, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding their election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

Officers.

Electors.

SEC. 3. The said election shall be held at some convenient public place in the said village, from 10 o'clock in the morning until 4 o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election; and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected. The Intendant and Wardens, before entering upon the duties of their office, shall, respectively, take the oath prescribed by the Constitution of the State,

Election.

and also the following oath, to wit: "As Intendant (or Warden) of the village of Rock Hill, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars for the use of the said village: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as an Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, (three Managers for each Board,) to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

A. D. 1872.

Oath of office.

Managers.

SEC. 4. That, in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Vacancies.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices, (or Justices of the Peace, as the case may be,) in this State, within the limits of said village, except for the trial of small and mean cases; and the Intendant shall and may, as often as is necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Rock Hill; and they and their successors in office, hereafter to be elected, may have a common seal, which shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded in any Court of Justice in this State; and purchase, hold, possess and enjoy to them, in perpetuity, or for any term of years, any estate, real or personal, or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars; and the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said village, as said Council may deem necessary and expedient for the preservation of the peace, good order and police

Judicial powers.

Rights and privileges.

A. D. 1872.

Marshals—
their powers
and duties.Police regu-
lations.

thereof, which persons, so appointed, shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable; and shall be liable to be removed at the pleasure of said Town Council; and the said Town Council shall have power to establish, or authorize the establishment of, a market house in said village; also, to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same; and the said Town Council, or the said Intendant and Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable especially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal or Constable to arrest and commit all such offenders, when required to do so; and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon the failure of such officers to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may impose upon them; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules, and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she or they may have committed; and the said Town Council shall have full power and authority, under their corporate seal, to make all such rules and regulations, by-laws and ordinances, respecting the streets, roads and business thereof, as well as the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience of the inhabitants of said town, and for preserving health, order and good government within the said town; and the said Town Council may impose fines for offenses against their by-laws, rules, regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices or Justices of the Peace now have, or may hereafter have, to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person or persons for a violation of any of their ordinances, by-laws,

Attendance
of witnesses.

Fines.

A. D. 1872.

rules or regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in the proper Courts of justice in this State, and, also, that nothing herein contained shall authorize said Council to make any ordinance or by-law inconsistent with or repugnant to the laws of the State.

SEC. 6. That said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets within the corporate limits of said town open and in good repair, and for that purpose they are invested with all the powers of County Commissioners, for and within the corporate limits of the said town; and they may lay out new streets, close up, alter or widen those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town liable to street, road or public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations may require; the money so received to be applied to the public use of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding ten dollars for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine in the same manner as is now, or may be hereafter, provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways, within the said town, as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: *Provided*, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose premises any such new street, road or way may pass.

Nuisances.

New streets.

Street duty

SEC. 7. The said Town Council may have power and authority to require all persons owning a lot or lots in said town to close in, and to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the said Town Council; and, for de-

Sidewalks.

A. D. 1872.

fault or refusal, after reasonable notice, to make and keep in good repair such sidewalks, and to close such lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making and repairing is let to the lowest bidder. The cemeteries and public grave yards are also placed under the jurisdiction of the said Town Council.

Licenses.

SEC. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse license to keep taverns or to retail spirituous liquors within the corporate limits of the said town, upon such conditions, and under such circumstances, as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern or to retail spirituous liquors be less than the amount that is established by the State; and all moneys paid for licenses and for fines and forfeitures shall be appropriated for the public use of the said town: *Provided*, That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or to retail spirituous liquors to extend beyond the term for which they have been elected. They shall have power to regulate sales at auc-

Sales at auction.

tion within the corporate limits of said town, and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares or mules, kept for hire or used for public purposes in said town; and they shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the corporate limits of the said town. They shall have the power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town, real and personal property of churches and school and college associations excepted. That an ordinance declaring the rates of the annual taxation upon property and other subjects of annual taxation for the year, shall be published at least three weeks, during the month of January in each year: *Provided*, That the said Town Council shall have power to levy a tax for this year, under the same rule as is above stated, immediately after the passage of this Act; and that all persons liable to taxation under the same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do, during the succeeding month after publication; and, upon the failure to make such return and payment

Exhibitions.

Annual taxation.

as required, the parties so in default shall be subject to the penalties provided by law for failure to pay the general State and County tax, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of the said town, except in such cases that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other person appointed by the Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property upon which such tax shall be levied and assessed is hereby declared and made liable for payment thereof, in preference to all other debts, except debts due to the State, which shall be first paid; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be liable for the same, as in manner and form just before stated.

A. D. 1872.

Executions.

SEC. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term, which account shall be published in one or more papers of the town, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and on failure to do so they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

Final settlement.

SEC. 10. That all ordinances or by-laws passed by the Town Council of Rock Hill shall be binding upon the citizens of said town, the same as the laws of the State.

SEC. 11. All Acts or parts of Acts inconsistent or supplied by this Act be, and the same are hereby, repealed.

SEC. 12. This Act shall be deemed a public Act, and continue in force for the term of fourteen years, and until the end of the Legislature thereafter.

Approved March 4, 1872.

AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NEWBERRY TO ERECT A MARKET HOUSE ON A LOT OF LAND BELONGING TO THE COUNTY OF NEWBERRY.

No. 76.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D 1872.

Market
house.

and by the authority of the same, That the Town Council of the town of Newberry are hereby authorized and empowered to erect a Market House in said town, upon a lot of land which is partly attached to and lying near the public square in said town, and belonging to the County of Newberry; which lot shall be given for such purpose to said Town Council, and their successors in office, free of rent or charge. And said Town Council, and their successors in office, shall have power and authority to remove such Market House whenever, in their opinion, the same may be deemed necessary and expedient.

Approved March 4, 1872.

No. 77. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH QUARANTINE AT GEORGETOWN, CHARLESTON AND HILTON HEAD."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of Section 1 of an Act entitled "An Act to establish quarantine at Georgetown, Charleston and Hilton Head," approved the 26th day of September, A. D. 1868, as provides that the anchorage ground for vessels in quarantine, Port of Hilton Head, shall be where it has heretofore been, is hereby repealed.

Repealing
clause.Anchorage—
where located
and how de-
signated.

SEC. 2. That said anchorage shall be, and the same is hereby, located at some point on the north side of Parris Island, to be designated by buoys, anchored under the direction of the Health Officers of that port.

Quarantine
station estab-
lished at St.
Helena SoundHealth Off-
icer.

SEC. 3. That a quarantine station shall be established at Saint Helena Sound, (covering the sound and adjacent rivers,) with anchorage ground for vessels where it has heretofore been, and that a Health Officer for said station shall be appointed by the Governor, who shall hold his office for a term of two years, unless sooner removed, with the same compensation now allowed the Health Officers of Georgetown and Hilton Head.

Penalty for
transporting
persons af-
fected with
contagious
disease to any
city or town.

SEC. 4. If any person or persons employed upon any vessel, railroad, express, or other conveyance, shall receive and convey any person affected with any contagious or infectious disease, or shall receive and transport any dead body to any of the cities or towns located upon the coast of this State, without permission from the Health Officer of the port of Charleston, between the first day of

April and the first day of December, such person, or persons shall be deemed guilty of a misdemeanor; and, upon conviction, shall be punished by a fine not exceeding one thousand dollars, or imprisonment for a term not exceeding one year.

A. D. 1872.

SEC. 5. All permits issued by Health Officer shall be at the expense of the vessel or conveyance to which such permits may be issued, and shall be collected by the Health Officer issuing the same.

Permits—at whose expense.

SEC. 6. That so much of Section 29 as requires the Health Officers of Georgetown and Hilton Head to report their doings to the Governor, at the end of each month, is hereby repealed; and that the said officers, together with any and all other Health Officers who may be appointed subsequent to the passage of this Act, shall report the same, at the end of each month, to the Health Officer of the port of Charleston, whose duty it shall be to forward a consolidated report of the doings of such officers to the Governor of the State monthly and the Legislature annually.

Report of Health Officers.

Approved March 4, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO EXTEND THE LIMITS OF THE TOWN OF CAMDEN."

No. 78.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to extend the limits of the town of Camden," approved March 9, 1871, be, and the same is hereby, amended by striking out Section 1, and substituting the following:

"That the limits of the town of Camden be, and the same are hereby, extended as follows, to wit: The western boundary shall commence at the junction of Wylie street with Mulberry street, and shall extend northward, along the line of said Wylie street, three-fourths of a mile beyond the present terminus of said street, and from this point the northern boundary shall extend in an eastern direction until it intersects Horse Branch, and thence, by course of said stream, to the point where it empties into Little Pine Tree Creek, and by the course of said creek, in a southern direction, to the confluence of said creek into Pine Tree Creek, and thence, by the course of the last named creek, to a point opposite Mulberry street, thence westward until it reaches said street, and continue along the line of said street to its junction with Wylie street."

Limits of town extended.

A. D. 1872.
 {
 Intendant
 and Wardens
 to designate
 boundaries.

SEC. 2. That the Intendant and Wardens of the town of Camden are hereby required to proceed, immediately upon the passage of this Act, to designate, by proper marks and monuments, the boundaries hereinbefore authorized.

SEC. 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 4, 1872.

No. 79. AN ACT TO INCORPORATE THE TOWN OF MULLINS, IN MARION COUNTY, STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Mullins, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Mullins, and its corporate limits shall extend half a mile north, one-quarter of a mile east and west, and one-third of a mile south, from a stake which shall be in the centre or square of said town.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected within thirty days after the passage of this Act, and every year thereafter on the second Monday in January, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place, in the said town, from nine o'clock in the morning until four o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens shall appoint three Managers to hold the ensuing and any subsequent election. The Managers, in each case, shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant

and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Mullins, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January, ensuing, and until their successors shall be elected and qualified.

A. D. 1872.

Oath of office.

SEC. 4. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal or otherwise, an election to fill such vacancy shall be held, by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and, in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Vacancies—how filled.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the jurisdiction of Magistrates or Trial Justices within the limits of said town, and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Mullins, and they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said town, have the powers, privileges and emoluments, and be subject to all the obligations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have power to establish, or authorize the establishment of, the market house, as also of a guard house in said town. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house, public buildings, and the business thereof, and the police system of said town, as shall appear to them necessary and proper for security, welfare and convenience, and for preserving health, order and good govern-

Judicial powers.

Marshals—their powers and duties.

Rules and by-laws.

A. D. 1872.

Attendance
of witnesses.

ment within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power which Magistrates or Trial Justices now have to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for a violation of any of their by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in the Court of Common Pleas; and all the by-laws, rules and ordinances the said Town Council may make, shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

Nuisances.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town; and it shall also be their duty to keep all roads, ways and streets within the corporate limits of the said town open and in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town, liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty, upon such terms, and on the payment of such sums as may be established by laws or ordinances: *And provided, also*, That the inhabitants of said town are hereby exempt from road and public duty without the corporate limits of said town.

Road duty.

Commuta-
tion.

Sidewalks.

SEC. 7. That said Town Council of Mullins shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the Town Council; and for default or refusal, after reasonable notice, to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making and repairing: *Provided*, That such contracts for making or repairing be let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of said Town Council.

Grave yards,
&c.

Licenses.

SEC. 8. That the power to grant or refuse licenses to keep tavern or retail spirituous liquors within the limits of the said corporation be, and the same are hereby, vested in the Town Council of Mul-

lins. And the said Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Council may deem best and proper: *Provided*, That in no instance shall the price of a license to keep tavern or to retail spirituous liquors be fixed at a less sum than is established by the Laws of the State; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping tavern and billiard tables within the limits without licenses, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any license to keep tavern or retail spirituous liquors to extend beyond the term for which they have been elected; and the said Intendant and Wardens shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the limits.

A. D. 1872.

Proviso.

Exhibitions.

SEC. 9. That the said Town Council of Mullins shall have power to arrest and commit to jail, and to fine, not exceeding twenty dollars, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of the citizens thereof; and it shall be the duty of the Marshal or Constable of the town to make such arrest, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to perform such duty, he shall be fined in a sum not more than twenty dollars for each and every offense.

Power to arrest and commit.

SEC. 10. The Town Council shall also have power to impose an annual tax, not exceeding twenty cents on every hundred dollars of the assessed value of real and personal estate lying within the corporate limits of said town, the real and personal estate of school associations excepted. The said Council shall have power to enforce the payment of all taxes levied under authority of this Act, against the property and person of all defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general taxes, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof, in preference to all other debts against said property, except debts due to the State, which shall be first paid.

Annual taxation.

Executions—how enforced.

SEC. 11. The Clerk of the said Town Council shall, annually, make out an assessment from the books of the County Auditor or Treasurer of all real and personal property in the limits of said town for taxation, and shall make return of said assessment to the Intendant and Wardens within one month from the time of his appointment.

Annual assessment.

A. D. 1872.

Publication
of rate of an-
nual taxation.

SEC. 12. That an ordinance declaring the rate of annual taxation upon property, and other subjects of annual taxation for the year, shall be published at least twice during the month of November in each year, and the citizens of said town shall make payment of their tax to the Clerk and Treasurer (hereinafter constituted) of the said corporation during the succeeding month of December.

Clerk — his
powers and
duties.

SEC. 13. The Intendant and Wardens shall have power to elect or appoint a Clerk, who shall also be Treasurer, whose duty it shall be to attend all meetings of the Council, and make a record, in a book kept for that purpose, of all the proceedings thereof; to take charge of all papers belonging to the Council, and to lodge with the proper officers all summons, executions, etc., and receive returns, to keep a regular account of all receipts and disbursements, which accounts shall, at all times, be accessible to the Intendant and Wardens; and it shall be his duty to make an official semi-annual report to the Council of the state of his accounts, at which time the doors of the Council room shall be open to all the citizens of said town; and which reports shall be regularly entered in a book kept for that purpose. He shall attend to the publication of all ordinances and other documents ordered by Council to be published. He shall hold his office for such term as Council may prescribe, not, however, exceeding one year, and shall receive such compensation for his services as Council may enact: *Provided*, That he may be removed from his office at the pleasure of the said Town Council; and, before entering upon the duties of his office, he shall give bond, in the penal sum of five hundred dollars, for the faithful discharge of the same.

Removable
at pleasure.Final settle-
ment.

SEC. 14. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and papers incidental to their office to their successors; and, on failure to do so, they shall be liable to be fined in a sum not exceeding one hundred dollars, to be collected in any proper action by the Town Council.

New streets.

SEC. 15. That said Town Council shall have power to lay out and arrange all streets and roads within said corporate limits, as the public good may require: *Provided*, The land of no party or parties shall be taken or appropriated for such purposes without compensation, as now required by the law for condemned lands.

Tax for 1872.

SEC. 16. That the Town Council shall have power to levy a town tax on all assessed property within the limits of said town for the

year 1872, immediately after the passage of this Act, and proceed to collect the tax thereon the following month.

A. D. 1872.

Approved March 4, 1872.

AN ACT TO INCORPORATE THE CHARLESTON JOINT STOCK COMPANY, OF THE STATE OF SOUTH CAROLINA, FOR THE BENEFIT OF THE STATE ORPHAN ASYLUM.

No. 80.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. W. Rouse, A. A. Aspinwall, Robert Smalls, Joseph Brown, Thomas B. King, John L. Little, Charles W. Sumner, David Green, Lewis Wilson, Jesse Bowsher, Stephen J. Maxwell, Lucius Wimbush, Thomas H. Blackwell, O. R. Levy, Chapman B. Thomas, James W. Elmore, Y. Sands, John Douglass, Benjamin Simons, James Gregory, and such other persons as may now, or hereafter, be associated with them, are hereby made and declared to be a body politic and corporate, under the name and style of the Charleston Joint Stock Company, of the State of South Carolina, or such other name as they may now or hereafter assume.

Corporators.

Corporate title.

SEC. 2. That all the rights of corporations, known as banks, be, and the same are hereby, vested in said company, for the purpose of loaning out money on interest, purchasing and mortgaging real estate, buying personal property, and they shall have the same rights and privileges now enjoyed by the banking institutions of this State; they shall, also, have the right to dispose of any and all property, such as real estate and personal or mixed, that they may become possessed of, in any manner, and on such conditions as the said company may see fit and proper to the advantage of said company, and to promote the interest of the said Orphan Asylum.

Powers, privileges and immunities.

SEC. 3. That, before commencing business under the provisions of this Act, the said Company shall pay, or cause to be paid into the hands of the State Treasurer, the sum of two thousand (2,000) dollars, to be used for the benefit of the State Orphan Asylum of South Carolina, and, annually thereafter, a like amount for the term of ten years, or so long as the said company shall choose to continue to do business, it being understood and agreed that said payment of two thousand dollars per annum by said company is the consideration upon which the privileges of incorporation herein is granted; and whenever said company shall fail to pay said consideration, then their rights to transact business shall cease.

License fee for benefit of Orphan Asylum.

A. D. 1872.

Agencies.

SEC. 4. That this company, incorporated and established by this Act, shall have full power, and are hereby authorized, to establish agencies throughout the State.

SEC. 5. That this Act shall be of force immediately on and after its passage.

—
OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., March 5, 1872.

This Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

—
No. 81. AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN INSPECTOR OF PHOSPHATES, AND TO DECLARE HIS DUTIES.

Inspector of
Phosphates.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a competent person to the office of Inspector of Phosphates, who shall reside and have his office in the city of Charleston, and shall hold his office for two years.

Monthly Re-
ports to be
made to In-
spector.

SEC. 2. That it shall be the duty of all companies or individuals who are, or may be, authorized by law to dig, mine or excavate such phosphate rocks and phosphatic deposits from the beds of the navigable waters or streams within the jurisdiction of the State, to report to the Inspector of Phosphates, monthly, the quantity of such rock and deposit dug, mined and excavated, and whether the same be on hand, awaiting removal, or if it has been moved, or is being moved, to furnish a copy of the bill or bills of lading, which reports shall be verified by the oath of the person making the same. And it shall be the duty of all captains of vessels and railroad officials to furnish to the Inspector of Phosphates duplicates of all bills of lading of all cargoes of such rock and deposit with which their vessels or cars may be freighted, for export from this

State, or for transportation within this State. And, to the end that the said Inspector of Phosphates may be enabled to verify the reports of the quantity of such rocks and deposits which have been, or may be, dug, mined, excavated and removed, he shall, at all times, have and be allowed free and uninterrupted access to all places where such rocks and deposits are dug, mined or excavated, and to all warehouses, or open or enclosed places where such rocks and deposits are stored, and to all vessels, railroad cars, or conveyances in or by which such rocks and deposits are being removed.

A. D. 1872.

Inspector
allowed free
access to all
warehouses,
&c.

SEC. 3. That the said Inspector of Phosphates shall report to the Auditor of the State, monthly, the amount of phosphatic rock and phosphatic deposits which he shall ascertain to have been dug, mined, excavated or removed from the navigable streams or waters of this State, by what company or persons the same was dug, mined and excavated, by what vessel or other mode of transportation the same was removed, with such other particulars as may enable the State Auditor correctly to ascertain whether the amounts due to the State therefor have been paid, and, if not, who is accountable for the same.

Inspector to
report month-
ly to State
Auditor.

SEC. 4. That hereafter it shall not be lawful to sell in this State, or to expose to sale, any guano or other commercial fertilizers, whether the same have been manufactured in this State or elsewhere, unless the same shall have been first examined, inspected, analyzed and marked by the Inspector of Phosphates. And it shall be the duty of all persons bringing into this State, for sale, any guanos or fertilizers, or manufacturing in this State, for sale, any such fertilizers, to furnish to the Inspector of Phosphates a formula representing the average contents of each fifty tons of the same, and to cause the same, or as many packages thereof as may be necessary to make a correct average sample of the whole, to be examined and inspected. And it shall be the duty of the Inspector to examine and analyze all such samples of guanos, and other fertilizers, and if found to agree with the formula thereof required to be furnished, as above, and as published to the public, to mark or brand each package thereof; but if the same, upon analysis, shall not conform to the formula so furnished and published, the Inspector shall not brand or mark the same, and it shall be unlawful for the holder, or owner thereof, to sell the same.

No fertili-
zers to be sold
unless in-
spected, ana-
lyzed and
marked.

Samples.

Each pack-
age to be
marked.

SEC. 5. That, to carry into effect the purposes of the foregoing Section of this Act, the Inspector of Phosphates shall, at all times, have, and be allowed, free and uninterrupted access to all vessels, cars, warehouses, manufactories and storehouses where such fertilizers are, or are supposed to be, and to take samples thereof. And it shall be the duty of all captains of vessels, or other carriers, or

Free access
to all vessels,
&c.

A. D. 1872.

persons bringing such fertilizers into the State, to report the same to the Inspector of Phosphates immediately upon arrival; and it shall be the duty of all manufacturers of such fertilizers in this State to report to the said Inspector all quantities manufactured for sale.

Penalty for
counterfeit-
ing brand of
Inspector.

SEC. 6. That any person who shall counterfeit the brand of said Inspector, or shall repack any package previously marked or branded by said Inspector, shall, on conviction thereof, be fined for each and every offense the sum of one hundred dollars.

Appointment
of Deputies.

SEC. 7. That in case of the sickness or temporary absence of the Inspector, or if the convenient dispatch of the duties of his office shall require the same, the said Inspector is hereby authorized to appoint a deputy, one or more.

Fees of In-
spector.

SEC. 8. That for his compensation for the inspection and branding of fertilizers, the said Inspector shall be entitled to charge twenty-five cents for each ton so inspected and branded, the same to be paid by the owner, agent or manufacturer, and which shall be collectable of and from the person having the same in charge; and for his compensation for the examination of the phosphatic rock and phosphatic deposit dug, mined, excavated and removed from the beds of the navigable waters and streams of the State, he shall be paid, from the State Treasury, seven and a half cents per centum on all amounts paid to the State as royalty for the privilege of so digging, mining, excavating and removing such rocks and deposits. And the said Inspector is hereby authorized to require conformity with all regulations which shall be by him made, with the approval of the State Auditor, and which shall be reasonable and proper to enable the said Inspector to carry out the purposes of this Act, and should the office of State Auditor be abolished, the duties herein required of him, and the reports required to be made to him, shall be exercised by, and the reports be made to, the Comptroller General.

Inspector to
make certain
rules, &c.

Penalty.

SEC. 9. That any person or company, who shall violate the provisions of this Act, shall, upon conviction, be liable to the same penalty as provided in Section 10 of this Act.

Inspector to
give bond.

SEC. 10. That said Inspector of Phosphates shall, before entering upon the duties of his office, furnish a bond, in good and sufficient sureties, in the penal sum of ten thousand dollars, for the faithful performance of his duties; and if the Inspector of Phosphates, or his Deputies, or any of them, shall be guilty of fraud, or shall neglect or refuse to perform the duties of their office, they shall be liable to a fine of not less than one hundred dollars, nor more than ten thousand, and to imprisonment for the term of not less than three months, nor more than five years, one or both, within the discretion of the Court.

Penalty for
neglect of
duty.

SEC. 11. All Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

A. D. 1872.

Approved March 6, 1872.

AN ACT TO INCORPORATE THE ANDERSON FARMERS' AND MECHANICS' ASSOCIATION. No. 82.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. F. Crayton, J. W. Norris, D. M. Watson, W. J. Ligon, B. F. Whitner and W. W. Humphries, and their successors in office and associates, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Anderson Farmers' and Mechanics' Association."

Corporators.

Corporate name.

SEC. 2. That the said corporation, by its corporate name aforesaid, shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for its government and direction; shall have power to make by-laws, not repugnant to the laws of the land; to make, have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in the Courts of the State; to purchase, hold and enjoy any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the objects of said association, and the same to alien and convey at pleasure.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 9, 1872.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW COURT HOUSE IN AND FOR THE COUNTY OF RICHLAND. No. 83.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Richland County are hereby directed, authorized and empowered to sell and convey the whole of that lot in the city

County Commissioners authorized to sell a certain lot.

A. D. 1872.

of Columbia, on the corner of Richardson and Washington streets, whereon was formerly situated the Court House of said County. The said sale to be made at public outcry, to the highest bidder, at such time or times, on such terms, and in such parcels, as the said Commissioners shall think proper, after advertisement thereof for at least thirty days: *Provided*, Said lot shall not be sold for less than one hundred (100) dollars per foot; said measurement to be made on the streets bounding the same, and that all the proceeds, over and above the amount of purchase of a new site, shall be deposited in the Treasury of the County, and shall be drawn out on the warrant of the Commissioners: *Provided*, That not more than one-half of the above deposit shall be drawn or paid until the Court House is completed, and received by the County Commissioners as being completed according to contract.

Price of lot per foot fixed.

Disposition of surplus money.

One-half of surplus only to be drawn before completion.

Purchase of site for new Court House.

SEC. 2. That the said Commissioners are further directed, authorized and empowered to purchase or accept a suitable site for a new Court House, in the city of Columbia, and to take the titles therefor, executed to the State of South Carolina, to and for the use of said County.

Authorized to erect a new Court House;

SEC. 3. That the said Commissioners are further directed, authorized and empowered to build and erect a new Court House upon the site selected, as provided in Section 2 of this Act; and that the contract for the erection of such building shall not be binding or valid until approved by the Circuit Judge of the Fifth Judicial Circuit, and the Clerk of the Court of Common Pleas for Richland County.

Contract by whom approved.

Approved March 9, 1872.

No. 84. AN ACT TO CHARTER THE RALEIGH, COLUMBIA AND AUGUSTA AIR-LINE RAILROAD COMPANY.

Purpose of corporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of building and establishing an air-line railroad from some point near the city of Augusta, Georgia, within the limits of this State, by way of the city of Columbia, Chesterfield, Cheraw and Marlboro, to some point on the dividing line between this State and the State of North Carolina, to be determined by the corporators hereinafter named, that a charter, with the rights and privileges incidental to the same, be, and is hereby, granted to, and vested in,

Corporators.

Charles Adams, John Smith, Thomas Steers, August Brennicke, John T. Lee, Edward Allen, Phillip Heller, M. D. Stone, Lewis Wilson, I. T. Owens, R. L. Jones, Thomas Sands, James Harvey, M. B. Allen, Amos Miles, David J. Hanks, and their associates or assigns; and when a company shall be formed, in compliance with the conditions herein prescribed, it shall be known by the name of the Raleigh, Columbia and Augusta Air-Line Railroad Company, and shall have a corporate existence as a body politic in perpetuity.

A. D. 1872.

Corporat
name.

Capital stock

Books of
subscription

SEC. 2. That the capital stock of said company shall be two million dollars, in shares of twenty dollars each; and, in order to raise the said capital stock, it shall be lawful to open books of subscription in such places and at such times as may be deemed for the best interests of the corporation, under the direction of the corporators; the time and places for receiving such subscriptions to be determined by a majority of the corporators; but should such a majority fail to fix such times and places, then such times and places may be fixed by any four of the corporators hereinbefore named, having given due notice of the same in any newspaper or newspapers of the State; and the subscription books shall be kept open for twenty days from such times and at such places as said corporators may determine; that on each share of stock subscribed the said subscribers shall pay two dollars to the corporators, who shall deposit the same in some National or State bank. When one hundred thousand dollars shall have been subscribed, the said corporators, or any four of them, shall give notice, by publication for at least ten days, of the time and place of meeting for organization.

Notice of
meeting at
organization

SEC. 3. Whenever the said sum of one hundred thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company: *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes: *And provided, further,* That this Act shall not be construed so as to bind the State to endorse, guarantee or aid said road.

Invested with
rights, &c
conferred
upon the
Northeastern
Railroad Co

SEC. 4. That the said company shall have the right to build bridges across navigable rivers: *Provided,* They shall put in good and sufficient draws, and shall construct necessary stations and turn-outs, with one or more tracks to the road, with such gauge as said company shall determine, and with full power to construct such branches, and make such connections with other roads, as they may determine, at their discretion: *Provided,* That the said road shall be commenced within three years, and completed within ten years after the passage of this Act, or the charter thereof shall be

Empower
to build
bridges, &c.Time for com-
mencing a
completing
road limited

A. D. 1872. forfeited: *And provided, further,* That the said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement," ratified September 22, 1868.

SEC. 5. This Act shall be deemed a public Act, and continue in force for ninety-nine years.

Approved March 9, 1872.

No. 84. AN ACT TO INCORPORATE THE CAROLINA LIGHT INFANTRY,
OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. C. Minott, J. A. Williams, Robert Howard, Jr., and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Carolina Light Infantry, of Charleston."

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court in this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be in any manner whatsoever acquired by the said corporation: *Provided,* The amount so held shall not exceed the sum of ten thousand dollars.

SEC. 3. That this Act shall continue in force for the space of twenty years; and the same shall be taken and deemed a public Act.

Approved March 9, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LANCASTER.

A. D. 1872.

No. 85.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided sixty days in the Town of Lancaster, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Lancaster, and its corporate limits shall extend one mile in each direction from the court house in said town.

Corporators.

Corporate limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in April, in every year, ten days' public notice thereof being previously given, and that all male inhabitants twenty-one (21) years of age, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

Electors.

SEC. 3. That the election for Intendant and Wardens of said town shall be held in the court house, or some other place convenient, in the said town, from eight o'clock in the morning until five o'clock in the afternoon; and, when the polls shall be closed, the Managers shall forthwith count the votes, and proclaim the election, and give notice, in writing, to the persons elected. The Chairman of the Board of County Commissioners shall appoint three Managers to hold the ensuing and every subsequent election. The Managers, in each case, before they open the polls for said election, shall take an oath fairly and impartially to conduct the same. And the Intendant and Wardens, before entering on the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Lancaster, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and to carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the first Monday in April ensuing, and until their successors shall be elected and qualified.

Election.

Managers.

Oath of office.

SEC. 4. That the said Town Council of Lancaster shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine not exceeding twenty (20) dollars, any

Power to arrest and commit to jail.

A. D. 1872. person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of citizens thereof.

SEC. 5. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 9, 1872.

No. 86. AN ACT TO INCORPORATE THE JOURNEYMEN MECHANICS' UNION, OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Byrnes, W. H. Berney, J. W. Miller, G. M. Magrath, J. P. Howard, Isaac Reed, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared to be a body politic and corporate, by the name and style of the Journeymen Mechanics' Union, of Charleston.

SEC. 2. That the association aforesaid shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court in this State. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess, or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by it, and to sell, alien or transfer the same.

SEC. 3. That this Act shall be a public Act, and continue in force for the term of twelve years from the date of its ratification.

Approved March 9, 1872.

No. 87. AN ACT TO INCORPORATE THE DEUTSCHER BRUDERLICHER BUND, OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. Werner, J. H. Linsebrink, J. C. H. Claussen, A. Nimitz, J. H. Heeseman and C. G. Ducker, and their associates and successors, be, and they are

hereby, created a body politic and corporate, under the name and style of the "Deutscher Bruderlicher Bund," of the city of Charleston.

A. D. 1872.

Title.

SEC. 2. That the said corporation hereby established shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court in this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be acquired by purchase, or in any other manner, by said corporation.

Powers and privileges.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets, and all other property which it may acquire in such real or personal property, stocks, public or private, notes, bills, bonds, with or without security by mortgage of real or personal property, or by surety, in such sums, and on such terms and conditions, as it may deem proper. And it shall and may be lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer any or all of its property, real and personal, as, and when, it may deem proper and expedient; and to make and execute bonds, under the corporate seal, with or without mortgage, for the purchase of real or personal property.

Investment of funds.

SEC. 4. That the members of said society hereby incorporated shall be, individually, liable for the debts of said corporation, each member to the extent of one year's annual arrears, which the said member may owe to the corporation, according to its by-laws, in the year in which he may be sued for said corporation debt; but such liability shall not attach until the corporation shall have been sued, and *nulla bona* returned on execution, in such suit.

Liability of members.

SEC. 5. That this Act shall be taken and deemed a public Act, and may be given in evidence without being specially pleaded.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE BEAUFORT MANUFACTURING
AND IMPROVEMENT COMPANY.

No. 89.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alfred

A. D. 1872.

Corporators.

Name and
objects of cor-
poration.

Williams, Robert Smalls, W. J. Whipper, J. Douglass Robertson, David Thomas, N. B. Myers, Francis E. Wilder, James M. Crofut, George Holmes, H. J. Maxwell and J. B. Bascomb, and their associates and successors, are hereby made and declared a body politic and corporate in law, under the name and style of the "Beaufort Manufacturing and Improvement Company," for the purpose of extracting and manufacturing oil from cotton seed, and other seeds of grain, and for the purpose of carrying on such other business connected therewith, with a capital of one hundred thousand dollars, to be divided into one thousand shares, of one hundred dollars each.

Capital stock.

Affidavit to
be filed in Sec-
retary of
State's office.

SEC. 2. The said company shall have power, from time to time, to increase their capital stock to any amount not exceeding two hundred and fifty thousand dollars, including their present capital stock, whenever a majority of the stockholders present, at any general meeting, shall determine. Books may be opened for the purpose of obtaining additional subscribers to such increased stock in such manner as the company may deem expedient; and, whenever any increase of capital shall be made as aforesaid, the President of the company shall make affidavit of the fact, and file the same in the office of the Secretary of State, and make public notice thereof, once a week for three weeks consecutively, in any newspaper published in the town of Beaufort, which shall be legal notice to all persons dealing with said corporation.

May build
wharves and
collect wharf-
age.

SEC. 3. That the said company be, and is hereby, authorized to build a wharf or wharves in front of any property owned by said company, or which they may hereafter become possessed of in the County of Beaufort, and to collect wharfage on the same, and to use, sell or lease the said wharf or wharves for the use and benefit of said company, subject to any laws now existing, or hereafter to be enacted, in relation to said property.

Invested with
rights, &c.,
granted to En-
terprise Rail-
road Co.

SEC. 4. That, for the purpose of carrying the products of their manufacture to or from any railroad or place of shipment upon the island of Port Royal, the said company is hereby vested with all the rights and powers, privileges and franchises granted to the Enterprise Railroad Company, of Charleston, by the Act of the General Assembly of the State of South Carolina, incorporating said company, approved March first, eighteen hundred and seventy, and March ninth, eighteen hundred and seventy-one: *Provided*, That the line of said road, so far as it affects the town of Beaufort, shall be fixed and established by the Intendant and Council thereof.

Corporate
rights and
privileges.

SEC. 5. That the said company shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for their government and direction, and

shall have power and authority to make by-laws, not repugnant to the laws of the land ; to make, have and use a common seal, and the same to alter at will ; to sue and be sued, to plead and be impleaded, in any Court of law and equity ; to purchase and hold any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the purposes for which said company is established.

A. D. 1872.

SEC. 6. The said corporation shall not go into operation until thirty thousand dollars of the capital stock shall be paid, in gold or silver, or United States Treasury notes ; and an oath or affirmation of the payment thereof shall be made by the President, Treasurer and a majority of the Board of Directors, which shall be recorded in the Secretary of State's office, and published in any newspaper in the town of Beaufort, or as near the establishment as circumstances will admit.

When said corporation may commence operations.

Oath to be recorded in Secretary of State's office.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE CHARLESTON HOOK AND LADDER COMPANY, No. 3.

No. 90.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. T. Elfe, Wm. E. Burke, B. F. Morris, A. V. Brodie and J. Grant, their associates and successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Charleston Hook and Ladder Company, No. 3 ; with a capital stock not exceeding ten thousand (10,000) dollars ; with the right to sue and be sued, to plead and be impleaded in any Court of competent jurisdiction, to have and use a common seal, and the same to alter at will ; and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved March 9, 1872.

A. D. 1872.

No. 91.

AN ACT TO INCORPORATE THE RED BANK MANUFACTURING COMPANY, OF LEXINGTON COUNTY.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frederick W. Green, John Green, John P. Southern, Clark Waring and W. C. Swaffield, and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Red Bank Manufacturing Company," for the purpose of manufacturing cotton yarns and cloth, and such other fabrics as the demand of the community may require, and also for the transaction of all such business as may be connected with the above purposes, with a capital of thirty thousand dollars, with power to increase it to one hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained.

Corporate name.**Objects of corporation.****Powers and privileges.**

SEC. 2. The said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debts due them, and may dispose of the same; and may erect such mills, machine shops and other buildings thereon as may be deemed necessary, and may sue and be sued, have and use a common seal, and may make such by-laws for the regulation and government of said corporation, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary; and shall have, generally, all the rights, powers and privileges in law incident or appertaining to corporations.

SEC. 3. That this Act shall be a public Act, and shall continue of force for the term of twenty-five years.

Approved March 9, 1872.

No. 92. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF PICKENS."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Pickens," approved in the year 1869, be amended as follows: That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing

Establishment of a guard house.

the same, and confine therein any or all persons who may be subject to be committed for violation of any ordinance of the town, passed in conformity to the Act hereby amended. And the said Town Council may, by ordinance, or the said Intendant and Wardens, in person, any one or more of them, authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest or commit to said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town, or any of them; and it shall be the duty of the Marshals and Constables to arrest and commit any such offenders, when required to do so, who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon the failure of the Town Marshal to perform such duty, if required, they shall, severally, be subject to such fine and penalties as the Town Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense for which he may have been committed.

A. D. 1872.

Police regulations.

Fines and penalties.

SEC. 2. That all the fines which shall hereafter be collected for retailing, without license, within the corporate limits of the said town, shall be paid one-half to the informer and the other half to the Council, for the use of the said town.

Disposition of fines.

SEC. 3. All Acts or parts of Acts inconsistent hereto be, and the same are hereby, repealed.

Approved March 9, 1872.

AN ACT TO CHARTER THE LITTLE RIVER AND CHERAW RAILROAD COMPANY.

No. 93.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of establishing a railroad from Little River to Cheraw, a charter, with all the rights and privileges incidental to the same, be, and is

A. D. 1872. hereby, granted to Thos. C. Dunn, L. D. Bryan, J. T. Walsh, Joel Allen, J. E. Dusenbury, F. A. Kehew, John Douglas, Wm. F. Johnson, C. P. Townsend, J. W. Thomas, Abel Quick, F. A. Miles, C. J. Stuart, Samuel Jackson, Jacob Allman, and their associates and successors, who are hereby constituted a body politic and corporate, by the name and style of the Little River and Cheraw Railroad Company.

Corporators.

Corporate name.

Route. SEC. 2. That the said company is hereby authorized to construct a railroad from Little River to Cheraw, by such route as shall be found most suitable and advantageous, and crossing the Counties of Marion and Marlboro, between the Great and Little Peedee Rivers.

Capital stock. SEC. 3. That the capital stock of said company shall be one and a half million dollars, with the privilege of increasing it to two and a half millions of dollars if found necessary, to be divided into shares of fifty dollars each; and, for the purpose of raising such capital stock, it shall be lawful to open books of subscription, at such times and places, and to keep them open for such periods of time, and under the direction of such persons as may be determined on by a majority of said company. That subscriptions to said capital stock may be made in land, at a rate per acre to be agreed upon at the time of subscription; and that each and every person subscribing land shall execute a deed to the said company, and that all amounts subscribed, either in land or money, shall constitute the joint stock capital, for the purpose of constructing and carrying into operation the railroad provided for by this Act; and the said railroad company shall have power to mortgage its property and franchises, and issue bonds on such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient.

Books of subscription.

Subscriptions may be made in land.

Issue of bonds.

Subject to provisions of Act of September, 1868. SEC. 4. That the said railroad shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction or use of railways, and other works of internal improvement:" *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

SEC. 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 9, 1872.

AN ACT TO PROVIDE FOR THE PAYMENT OF CERTAIN DEBTS
BY THE COUNTY OF AIKEN.

A. D. 1872.

No. 94.

Preamble.

Whereas, by an Act approved March 10th, 1871, a new judicial County, by the name of Aiken, was formed of portions of Barnwell, Edgefield, Lexington and Orangeburg; and, whereas, the said named Counties, at the time the Act to establish said County of Aiken was passed, were, and still are, in debt; and, whereas, it is but fair and just that the said County of Aiken should assume her proportion of the debts of the various Counties from which it has been created; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That of the outstanding debts of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, of portions of which the said County of Aiken has been created, that the said County of Aiken is hereby made liable for her proportion, in ratio to the taxable property, as taken from each of the above specified Counties.

County of
Aiken made
liable for cer-
tain debts.

SEC. 2. That, in order to carry out the provisions of the preceding Section, it shall be, and hereby is, made the duty of the County Commissioners of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to make out a certified statement of the indebtedness of their respective Counties, and forward the same (after the complete organization of said County of Aiken) to the County Auditor, or any other officer who may discharge the duties of said office, who shall, in proportion and proper ratio, to carry out the provisions of this Act, cause an annual assessment of one thousand dollars to be made on all the taxable property within the said new County of Aiken, to be used only for the payment and for the purposes herein mentioned.

County
Auditor to
make annual
assessments
of \$1,000, to
pay said
debts.

Approved March 9, 1872.

AN ACT TO CHARTER BIG HOUSE FERRY, OVER BEAUFORT
RIVER, IN BEAUFORT COUNTY.

No. 95.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach and extend across the Beaufort River, in Beaufort County, at a point called "Sam's

Ferry at
Sam's Point.

A. D. 1872.

Rates of toll

Point," and that the said ferry be vested in Christopher Green, his heirs and assigns, for the term of twenty years, with the same rates of toll as was formerly allowed to the ferry known as the "White Hall Ferry," in said County: *Provided*, That children going to and returning from schools or others going to and returning from the polls be passed free.

Approved March 9, 1872.

No. 96. AN ACT TO PROVIDE FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF DARLINGTON COUNTY, AND FOR OTHER PURPOSES.

Committee to
examine ac-
counts
against Dar-
lington
County.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. F. Whittemore, Elihu C. Baker, J. S. Fillebrown and James M. Brown be, and they are hereby, constituted a Committee to examine any and all accounts presented to said Committee by any and all parties who hold any accounts or demands against the County of Darlington, contracted or originating since June, 1868, and before January 1st, 1872: *Provided*, That said Committee receive no compensation for their services.

Per-
sons holding
accounts, to
present the
same for ex-
amination.

SEC. 2. That to enable the said Committee to investigate as to the correctness of the indebtedness of the County of Darlington, as reported by the County Commissioners of said County to the General Assembly of 1871-2, they are hereby authorized and empowered to give public notice, for fifteen days, to all persons and parties holding any demands against said County to present the same for examination, and said Committee shall have power and authority to send for any officer, person or party, their books, papers or memoranda, and to further the examination of any account or demand against the County, paid or unpaid, contracted or originating since June, 1868, and before January 1st, 1872. The Committee may administer any oath to any person, party or officer.

Power to
send for off-
icers' books,
papers, &c.

May admin-
ister any
oath.

If County
funds are
found to be
misapplied—
information
to be given to
Solicitor of
Circuit.

SEC. 3. That if, upon the aforesaid investigation, it shall be found that the County Commissioners of Darlington County have misapplied the public moneys of the County, by paying claims not authorized by law, or have neglected their duty by refusing to pay claims authorized by law, or have used for their own private purpose any of the public funds of the County, or have unjustly dis-

criminated among the creditors of the County in paying out the moneys of the County, or done any other act, or neglected to do any act, in violation of law, in reference to the public funds or property of the County, the said Committee shall forthwith furnish said information to the Circuit Solicitor of the County, who shall forthwith proceed, by action or indictment, or both, against said Commissioners, in the Circuit Court. And if said Commissioners shall be found guilty, they shall, in addition to the penalties now provided by law, be immediately removed from office.

A. D 1872.

Said Solicitor to indict County Commissioners for the same.

Penalty, if convicted.

SEC. 4. That it is hereby made the duty of the County Commissioners of Darlington County to draw their warrants on the County Treasurer against any funds in his hands, including the money now in bank, which was appropriated for building of a Court House, for the payment and liquidation of the past indebtedness of the County; and the County Treasurer, on presentation of said warrant, shall pay the same.

County Commissioners to draw warrants in payment of County indebtedness.

SEC. 5. Immediately on and after the passage of this Act, the Committee herein appointed shall enter upon the duties assigned them; and no warrant on the funds specified in Section 4 shall be drawn on the County Treasurer by the County Commissioners until the examination herein authorized shall have been completed.

SEC. 6. The Auditor and County Commissioners be, and they are hereby, authorized and empowered to cause to be levied on the taxable property of the said County, for the year 1872, two mills on the dollar, and to continue the same each succeeding year, until the sum of eighteen thousand dollars shall have been collected; and the said sum, as collected, shall not be used in any manner, except for the purpose of building a Court House at Darlington, for the County of Darlington.

Annual tax of two mills to be levied.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE MISHAW LIGHT INFANTRY, OF
CHARLESTON, S. C. No. 97.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. Hoard, Wm. Miller, George Baker, Richard Baker, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby, declared to be a body politic and corporate, by the name and style

Corporators.

A. D. 1872.
Corporate
name.

Powers and
privileges.

of the "Mishaw Light Infantry;" and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State; and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estates, of whatever kind or nature soever, and the same, or any part thereof, to sell, alien or convey, at their will and pleasure: *Provided, however,* That the property, so held, shall not exceed the annual value of ten thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

SEC. 2. *And be it further enacted,* That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of twenty years, and until the next meeting of the General Assembly thereafter, and no longer.

Approved March 9, 1872.

No. 98. AN ACT TO INCORPORATE THE NAZARETH PRESBYTERIAN CHURCH, OF SPARTANBURG COUNTY.

Corporate
name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, The members of the corporation known as the "Nazareth Presbyterian Church," in the County of Spartanburg, together with the officers and members of said corporation, be, and are hereby, declared to be a body politic and corporate, by the name and style of the Nazareth Presbyterian Church, and, as such, shall have power to adopt such constitution, and to make such by-laws, as may be necessary for the government of the same, and not repugnant to the laws of this State; and shall have such council, trustees, elders and deacons, their successors in office, as they may select; to sue and be sued, plead and be impleaded, by their corporate title, in any Court of law or equity in this State; to have and use a corporate seal; to have and enjoy every right, power and privilege incident to such corporations; and the said corporation is empowered to hold, retain, possess and enjoy all such property, real and personal, as the corporation may hereafter possess or be entitled to, or which shall hereafter be given, bequeathed or devised to, or in any way acquired, and to sell and transfer the same, or any part thereof; and enjoy

and exercise all rights, powers and privileges as are incident to such corporations.

A. D. 1872.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force for the term of twenty-five years.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE AIKEN LIGHT INFANTRY, OF AIKEN, SOUTH CAROLINA. No. 99.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Peter Wag-gels, Alexander Williams, Joseph Robertson, Joseph Knights, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Aiken Light Infantry, of Aiken, S. C."

Corporators.

Corporate name.

SEC. 2. That the said corporation, hereby created and established, shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court of this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be, in any manner whatsoever, acquired by the said corporation: *Provided*, The amount so held shall not exceed the sum of ten thousand dollars.

Powers and privileges.

SEC. 3. That this Act shall continue in force for the space of twenty years, and the same shall be taken and deemed a public Act.

Approved March 9, 1872.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF WILLIAMSTON. No. 100.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all and every person or

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Co'porators.

persons who may have resided within the corporate limits of the town of Williamston for one year, or who may own a freehold therein, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Name.

Corporate limits.

SEC. 2. That the said persons, and their successors, shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Williamston, and its corporate limits shall extend one mile in the direction of the cardinal points from the present brick hotel as a centre, and form a circle.

Officers.

Electors.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be persons that actually reside within the limits of the corporation, and have so resided at least twelve months immediately preceding their election. The said Intendant and Wardens shall be elected on the second Monday in September, in each year, ten days' notice having been previously given, and shall continue in office for one year, and until the election and qualification of their successors. And all male inhabitants of the said town, who shall have attained the age of twenty-one years, and resided therein sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens: *Provided*, That no person shall be allowed to vote at any such election who shall not have registered his name as a voter with the Clerk of the Council, in a book or books to be kept by him for that purpose, by 10 o'clock A. M., on the day preceding every such election.

Election.

SEC. 4. That said election shall be held in some convenient public place in said town, from nine o'clock in the morning until five o'clock in the evening; and, when the polls shall be close, the Managers shall forthwith proceed to count the votes, under oath, publicly, stating the whole number of votes cast for each candidate or person voted for, and shall transmit their report of the same, in a sealed envelope, to the Intendant of the town; and if there be no such Intendant, the same shall be transmitted to the Clerk of the Court of Anderson County. The said Intendant, or Clerk of the Court, shall open the report of the said Managers, and shall announce and publish the whole number of the votes cast, and the whole number cast for each candidate, when the several candidates receiving the highest number of legal votes for the offices for which they were voted for shall be declared duly elected. The Intendant and Wardens, for the time being, shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take the oath, fairly and impartially, to conduct the same. And the Intendant and Wardens, before entering upon the duties of their office, shall, respectively, take the oath prescribed by

Managers.

the Constitution of this State, and, also, the following oath, to wit :
 "As Intendant (or Warden) of the town of Williamston, I will faithfully and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected : So help me God."

A. D. 1872.
 Oath of
 Office.

SEC. 5. In case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of the Intendant and Warden or Wardens; and, in case there be none, then by the appointment of the Clerk of the Court of Anderson County.

Vacancies—
 how filled.

SEC. 6. That the Intendant and Wardens, duly elected and qualified, shall be, during their term of office, vested with all the powers and authority with which Trial Justices are at present vested by law, except the trial of civil cases, and except as it may be otherwise provided in this Act. And the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Williamston; and they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded in any Court of law or equity in this State, and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien and convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, markets and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving the health, peace, order and good government within the same. And the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public use of the said corporation: *Provided*, That, in all cases of trials to be had before the said Town Council, as hereinbefore provided, the party charged shall be cited to trial by service upon him of a summons, under the hand of the Intendant, any one of the Wardens, or the Clerk of the Council, wherein shall be expressed, with certainty, the offense charged, and the time and place of trial, which service shall be made at least five days before the day of trial.

Judicial
 powers.

Corporate
 privileges.

Fines.

A. D. 1872.

Licenses.

SEC. 7. That the Intendant and Wardens of the said town shall have full and only power to grant or refuse license to retail spirituous liquors within the said limits, which license shall be granted in the same manner, and upon the same conditions, as they now are, or may hereafter be, under the laws of this State, except that the Town Council shall have the power to regulate the price of license to keep taverns and to retail spirituous liquors: *Provided*, That in no instance the price of a license so to keep tavern or retail spirituous liquors shall be fixed at a less sum than is established by the laws of this State; and all the powers vested formerly in the Commissioners of Roads are hereby granted to the said Intendant and Wardens within the said limits; and all moneys paid for licenses, and for fines and forfeitures, for retailing spirituous liquors, keeping taverns, billiard tables, within the said limits, without license, shall be appropriated to the uses of said corporation: *Provided*, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any licenses to keep tavern or retail spirituous liquors to extend beyond the time for which they shall have been elected.

Roads and streets.

SEC. 8. That it shall be the duty of the said Intendant and Wardens to keep all streets, roads and ways, within their corporate limits, open and in good repair; and, for that purpose, they are invested with all the powers granted formerly to the Commissioners of Roads. And they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as they shall, by ordinance, establish; the moneys so received to be applied to the public use.

Annual tax-
amon.

SEC. 9. That the said Town Council shall have power to impose an annual tax upon the keepers of all billiard tables and ten-pin alleys, or other pin alleys, within the discretion of said Council; and to grant or refuse licenses for the same, upon such terms and conditions, and subject to such regulations as they may, by ordinance, establish. They shall also have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all public drays, wagons, carriages, omnibuses, and other vehicles kept for hire, and on the owners or proprietors of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of said town. The said Town Council shall have power to impose an annual tax on the amount of all sales of goods, wares and merchandise; and also, upon the amount of income arising from all factorage and merchandise, employments, faculties and professions, including the profession of dentistry; also, upon the amount of income from all moneys loaned at interest, and from dividends received from banks and all other stocks: *Provided*, That no tax shall be imposed, in

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any one case, to exceed the rate of thirty cents on each hundred dollars of the value of such sales and income. And the said Town Council shall have power to impose an annual tax on all carriages and wagons, of whatever kind, kept for private use; on all gold, silver and other watches, kept for private use, within the limits of the said town. And the said Town Council shall have power to impose an annual tax, not exceeding thirty cents on every hundred dollars of the value of all real estate lying in the corporate limits of said town, the real estate of churches and school associations excepted; and, for that purpose, they shall appoint three freeholders residing therein to assess the value of said real estate, upon oath, and return the assessment, within one month, to said Council for taxation; and to fill any vacancy occasioned by the death, resignation, refusal to serve, or removal from office, of the said Assessor. And the said Town Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said town; to erect a powder magazine, and to compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and storing the same. And the said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property and persons of defaulters, to the same extent, and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the said Town Council to collect the same; and all property, upon which a tax shall be levied and assessed, is hereby declared and made liable for the payment thereof in preference to other debts due by the person owning such property at the time of the assessment, except debts due the State, which shall be first paid. The said moneys, together with all other moneys collected by authority of the provisions of this Act, and the ordinances passed in conformity thereto, from whatever source said moneys may arise, to be paid into the treasury of said town, for the use of the corporation.

Assessment.

Exhibitions.

Powder.
Magazine.

Executions.

Disposition
of moneys re-
ceived.Returns—
time for mak-
ing fixed.

SEC. 10. That returns shall be made, on oath, to the Clerk of the Town Council, during the month of January, in each year, of the amount of all sales of merchandise, professional, mechanical, or other incomes, and of the quantity and kind of all other property than real estate subject to taxation, under the provisions of this Act, by persons who may be liable to pay the taxes on the same; and the said taxes shall be paid on or before the first day of March then next ensuing. Upon failure thereof, any party in default shall

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be subject to the penalties now provided by law for failure to pay the general State tax.

Sidewalks.

SEC. 11. That the said Town Council shall have authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever they shall front on or adjoin any public street of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of their construction, to be designated and regulated by the said Council; and, for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made and put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction in Anderson County: *Provided*, That such contract for making or repairing be let to the lowest bidder.

Streets and roads.

SEC. 12. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of said town; and they shall also have power to lay out, adopt, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem important or necessary for the improvement and convenience of said town: *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner through whose premises any such new street, road or way may pass.

Marshals—
their powers
and duties.

SEC. 13. That the said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, to affix their salaries and prescribe their duties, who shall be duly sworn in, and invested with all the power, and subject to all the duties and liabilities, that Constables now have or are subjected by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council: *Provided*, That their jurisdiction shall be confined to the corporate limits of said town.

Police regulations.

SEC. 14. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinances, suitable rules and regulations for keeping and governing the same, and for the confinement of all persons who may be subject to be committed for the violation of any ordinance of the town, passed in conformity with the provisions of this Act. And the said Town Council may, by ordinance, or the said Intendant and Wardens, in person, any one or more of them, authorize and require the Marshal of the town, or any Constable specially appointed for that purpose, to

arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshals to arrest and commit all such offenders, when required to do so, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrest; and, upon the failure of such Marshals to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment: *Provided*, That such imprisonment shall not exempt the party from payment of any fine the Council may impose for the offense for which he may have been committed.

A. D. 1872.

SEC. 15. That the said Town Council shall have power to collect the taxes from all persons representing publicly, within the corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purposes of said corporation.

Tax on shows.

SEC. 16. That all fines, which shall hereafter be collected by conviction in the Court of Sessions, for retailing without license, within the corporate limits of said town, shall be paid one-half to the informer, and the other half to said Town Council, for the uses of the corporation.

Disposition of fines.

SEC. 17. The said Town Council shall have power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board.

Nuisances.

SEC. 18. That the Intendant and Wardens shall, during their term of office, be exempt from street duty; and each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their hands belonging to the corporation, and deliver up all property, books, records and other papers incident to their office, to their successors; and, on failure so to do, they shall be liable to the punishment prescribed in the twentieth Section of this Act.

Final settlement.

SEC. 19. That all ordinances heretofore passed by the Town Council of Williamston, in conformity with the authority granted by existing laws, shall be, and they are hereby, declared legal and valid.

Ordinances validated.

A. D. 1872.

Penalty for
neglect of
duty, &c.

SEC. 20. That, for any willful violation of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to punishment by fine not exceeding one hundred dollars, besides being liable for damages to any person injured.

SEC. 21. That all Acts and parts of Acts, heretofore passed, in relation to the incorporation of the town of Williamston, be, and the same are hereby, repealed. And this Act shall be deemed and taken to be a public Act, and continue in force for the term of twenty years, and until the end of the session of the Legislature then next ensuing.

Approved March 9, 1872.

No. 101. AN ACT TO INCORPORATE THE VILLAGE OF LITTLE ROCK, IN THE COUNTY OF MARION, AND FOR OTHER PURPOSES THEREIN MENTIONED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the town of Little Rock, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called by the name of Little Rock, and its corporate limits shall extend three-fourths of a mile in each direction from the Methodist Church, in said town: *Provided*, That the corporate limits of said town shall not extend beyond the Little Peedee River.

Corporate
limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said town sixty days immediately preceding their election. The said Intendant and Wardens shall be elected on the second Saturday in April, in every year, five days' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors; and all male inhabitants of said town, who shall have attained the age of twenty-one years, (paupers and persons under disabilities for infamous crimes excepted,) and shall have resided therein sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Electors.

SEC. 3. The said election shall be held in some convenient public place in said town, from six o'clock in the morning until four o'clock in the evening, and, when the polls shall be closed, the Managers shall forthwith count the votes and declare the election, and give notice thereof, in writing, to the persons elected. The Intendant and Wardens, before entering upon the duties of their offices, shall each take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden, as the case may be) of the town of Little Rock, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Town Council the sum of ten dollars, for the use of said town: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices, nor shall any other person be compelled to serve more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint a Board of three Managers to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same. That James Stackhouse, Benjamin Mace and R. P. Hamer are hereby appointed Managers, to hold the election on the second Saturday in March, one thousand eight hundred and seventy-two.

A. D. 1872.

Election.

Oath of office.

Managers.

Vacancies.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of the same, five days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of their number to act as Intendant for the time being.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers heretofore granted to Magistrates, (Trial Justices, or Justices of the Peace, as the case may be), in this State, within the limits of the said town, except for the trial of causes small and mean. And the Intendant shall, and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may constitute a quorum to transact business, and they shall be known as the Town Council of Little Rock, and they and their successors, hereafter to be elected, may have a common seal, which shall be

Judicial powers.

A. D. 1872.

affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and may purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, and by-laws and ordinances, respecting the roads, streets, market and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same. And the said Town Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public uses of the said corporation: *Provided*, That no fine shall exceed fifty dollars for any one offense; and, also, that nothing herein contained shall authorize the said Council to make any by-laws inconsistent with, or repugnant to, the Constitution and laws of this State; and all by-laws and ordinances the Council may make shall, at all times, be subject to revision or repeal by the Legislature of this State.

Police regulations.

Fines.

Licenses.

SEC. 6. That the Intendant and Wardens of said town shall have full power to grant or refuse licenses to keep taverns, or to retail spirituous liquors, within the corporate limits of said town, upon such conditions, and under such circumstances, as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern, or to retail spirituous liquors, be at a less sum than is established by the laws of this State; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits without licenses, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens shall not have power to grant any license to keep taverns, or to retail spirituous liquors, to extend beyond the term for which they have been elected.

Roads and streets.

SEC. 7. That it shall be the duty of the said Intendant and Wardens to keep all roads, ways, bridges and streets, within the corporate limits, open and in good repair; and they may lay out new streets, close up, widen or otherwise alter those now in use, and for that purpose they are invested with all the powers and duties of County Commissioners, or Commissioners of Roads, for and within the corporate limits of said town. They shall have power to compound with all persons liable to work the streets, ways and roads of said town, upon such terms as they shall, by ordinance, establish; the moneys so received to be applied to the public use of said town;

and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars, as the Town Council may impose.

A. D. 1872.

SEC. 8. They shall have the power to impose an annual tax, not exceeding fifty cents on every hundred dollars of the value of all real and personal property, lying within the corporate limits of the said town, the real and personal property of churches and school associations excepted. The said Town Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said town; to erect a powder magazine, and compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and delivering the same. The said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property of defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the town Marshal, or other person especially appointed by the said Town Council to collect the same; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment thereof, in preference to all other debts against the said property, except debts due the State, which shall be first paid.

Annual taxation.

Erection of powder magazine.

Executions.

SEC. 9. The said Town Council shall have power and authority to require all persons owning a lot or lots in said town to close in, and to make and keep in good repair, sidewalks, in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary; the width thereof, and the manner of construction, to be designated and regulated by the said Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalk, and to close in such lot or lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing. And the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making or repairing be let to the lowest bidder. The cemeteries and grave yards are, also, placed under the jurisdiction of the Town Council.

Sidewalks.

SEC. 10. The said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may

Power to close and open streets.

A. D. 1872.

adjudge best for the interest of the said town; and they shall, also, have power to lay out, adopt, widen or otherwise alter those streets now in use, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement or convenience of said town: *Provided*, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

Marshals.

SEC. 11. The said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, to fix their salaries and prescribe their duties, who shall be sworn in, and invested with all the powers and subjected to all the duties and liabilities that Constables now have, or are subject to, by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council: *Provided*, That their jurisdiction shall be confined within the limits of the said town.

Police regulations.

SEC. 12. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same; and the said Town Council may, by ordinance, or the said Intendant or Wardens, in person, any one or more of them, authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal to arrest and commit all such offenders, when required so to do, who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon failure of said Marshal to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may establish. And all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for the violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense for which he may have been committed.

Tax on shows, &c.

SEC. 13. The said Town Council shall have power to impose and collect taxes from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows, of what na-

ture or kind whatsoever, to be appropriated to the public uses of said town.

A. D. 1872.

SEC. 14. The said Town Council shall have full power and authority to abate all nuisances within the corporate limits of said town.

Nuisances.

SEC. 15. The Intendant and Wardens elect shall, during their term of office, be exempt from street duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, which account shall be published in one or more papers in the County, and shall pay over all moneys in their possession belonging to the corporation, and shall deliver up all books, records and other papers incident to their office to their successors; and on failure so to do they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by the Town Council.

Final settlement.

SEC. 16. For any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to punishment as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

Penalty for neglect of duty.

SEC. 17. This Act shall be deemed a public Act, and continue in force for the term of fifteen years, and until the end of the session of the Legislature then next ensuing.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE "STAR FIRE ENGINE COMPANY, No. 102. OF GEORGETOWN."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George H. Pawley, Tony G. Rutledge, William A. Johnson, William Moultrie, John Smyley, and their associates and successors in office, be, and they are hereby, created and constituted a body politic and corporate, by and under the name and style of the "Star Fire Engine Company, of Georgetown," with a capital stock not exceeding the sum of five thousand dollars, with a right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to

Corporators.

Corporate name.

A. D. 1872.

Powers and
privileges.

have and to use a common seal, and the same to alter at will and pleasure; and to have and enjoy all other rights, privileges and immunities that are now, or may be hereafter, secured by law to like incorporated bodies.

SEC. 2. This corporation shall enjoy all the rights and privileges secured to corporations under the Act to regulate the formation of corporations, and be subject to the liabilities therein prescribed, so far as applicable.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force for the term of fourteen years.

Approved March 9, 1872.

No. 103. AN ACT TO AMEND THE CHARTER OF THE TOWN OF BEAUFORT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act incorporating the town of Beaufort be so amended that the Town Council of Beaufort be, and they are hereby, authorized to establish a guard or police for the better security and regulation of said town, and to pass such ordinances as they may deem expedient to define the duties, fix the compensation, and impose fines and penalties for neglect or improper discharge of duties of said guard, and, generally, to perform all acts necessary and proper to effectuate the intention of this Act, and make and establish all rules and orders relative to said guard, not inconsistent with the laws of the State. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, have the same powers which a Trial Justice now has to compel the attendance of witnesses, and require them to give evidence, upon the trial before them of any person for the violation of any of the by-laws or ordinances of the town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of the town of Beaufort; and they and their successors in office shall have a common seal, and shall have power to appoint, from time to time, such and so many proper persons to act as Marshals or Constables, as they shall deem expedient and proper, which officers shall have all powers, privileges and emoluments, and be subject to all the duties, penalties and regulations,

Police—their
duties and
compensa-
tion.Judicial pow-
ers.Marshals—
powers and
duties.

provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances, respecting the streets, ways, public wells and springs, or fountains of water, markets, and police of said town of Beaufort, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with or repugnant to the laws of the State; and all such by-laws and ordinances shall, at all times, be subject to revisal or repeal by the General Assembly of the State; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation; but no fine shall exceed thirty dollars, and when fines shall exceed twenty dollars, the same to be collected as fines and penalties in Trial Justices' Courts.

A. D. 1872.

Rules and
by-laws.

Fines.

SEC. 2. That the Town Council shall have full power and authority to require all persons owning a lot or lots in said town to build a lawful fence, and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of their construction, to be designated and regulated by the Town Council; and for default or refusal to keep in repair such sidewalks, the Town Council may cause the same to be put in repair, and require the owner to pay the price of repairing: *Provided*, That such contract for repairing the same be let to the lowest bidder.

Sidewalks.

SEC. 3. That the said Town Council shall have power to abate all nuisances within the corporate limits, and also to appoint a Board of Health and a Harbor Master, when deemed necessary, for the said town, and to pass such ordinances as may be necessary to define the duties and powers of the said Board, and to impose fines and penalties upon the members of the said Board for neglect of duty or refusal to serve.

Nuisances.

SEC. 4. That the power to grant or refuse licenses for ten-pin or other pin alleys, bagatelle tables, to keep taverns or retail spirituous liquors within the limits of the said corporation, be, and the same is hereby, vested in the Town Council of Beaufort, and the said Town Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Town Council may see fit and proper: *Provided*, No such license shall exceed the sum of two hundred dollars: *Provided, further*, That in no instance shall the price of a license to keep tavern, or to retail spirituous liquors,

Licenses.

A. D. 1872.

be fixed at a less sum than is established by the laws of this State.

SEC. 5. That the said Town Council are hereby empowered to require all persons, companies and corporations now engaged, or who may hereafter become engaged, in business, or avocations of any kind whatever, within the limits of said town, to take out a license from the said Town Council, who are hereby authorized to impose a reasonable charge or tax, within their discretion, for the conduct of the same: *Provided*, No such license shall exceed the sum of five hundred dollars.

Tax on sales,
&c.

SEC. 6. That the said Town Council shall have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all drays, carts, wagons, omnibuses, carriages and other vehicles kept for hire. And the said Town Council shall have power to enforce the payment of all taxes and assessments against the property and persons of defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the said Town Council to collect the same.

Executions.

Returns.

SEC. 7. That returns shall be made, on oath, to the Clerk of the Town Council whenever, and at such times, as the said Council may so require, by ordinance, of the amount of all sales of merchandise, professional, mechanical or other incomes, and of the quantity and kind of all property, other than real estate, subject to taxation under the provisions of this Act, by persons who may be liable to pay the taxes on the same; and any person, in default of payment of such taxes, when such payment may become due, shall be subject to the penalties now provided by law for failure to pay the general State tax. That all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping tavern and billiard tables, within the limits, without licenses, shall be appropriated to the public uses of said town.

Disposition
of fines.

SEC. 8. That all Acts or parts of Acts, in relation to the Town Council of Beaufort, repugnant to or supplied by this Act, be, and the same are hereby, repealed.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE COLUMBIA JOCKEY CLUB.

A. D. 1872.

No. 104.

Corporators.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. J. Robertson, John Agnew, Charles Logan, R. C. Shiver, Owen Daly, M. J. Calnan, and their associates and successors, be, and they are hereby declared to be, a body corporate and politic, by the name and style of the Columbia Jockey Club, and shall have power to retain, possess and enjoy all such property as they may now be possessed of, or entitled to, or which shall hereafter be acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held shall not exceed twenty-five thousand dollars.

SEC. 2. That they shall or may have a succession of officers and members, according to the rules and by-laws which may be adopted by them; and shall have power to make and change, at will, rules and by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State. They shall, jointly and severally, be responsible for all debts incurred by the corporation or its agencies.

Liability of
corporators.

SEC. 3. That this Act shall remain in force for the term of fifteen years, and until the meeting of the next session of the General Assembly thereafter.

Approved March 9, 1872.

AN ACT CONFERRING UPON THE COUNTY COMMISSIONERS CERTAIN POWERS IN RELATION TO THE LICENSE AND SALE OF INTOXICATING LIQUORS.

No. 105.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That all the powers and duties heretofore conferred upon the Commissioners of Roads of the various Districts of this State, in relation to the license and sale of intoxicating liquors, be, and they are hereby, conferred upon the County Commissioners. This Act shall take effect on and after its passage.

Duties of
Road Com-
missioners
conferred on
County Com-
missioners.

Approved March 9, 1872.

A. D. 1872.

No. 106.

AN ACT TO PERMIT JAMES McCULLOUGH TO ADOPT, CHANGE THE NAME OF, AND MAKE HIS LAWFUL HEIR, JOSEPH ALLEN STEPP.

Jos. A. Stepp
adopted and
made the
lawful heir of
J. McCullough

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James McCullough, of Greenville County, is hereby authorized and empowered to adopt, and make his lawful heir, Joseph Allen Stepp, and that the name of the said Joseph Allen Stepp shall be changed to Joseph Allen McCullough.

Entitled to
inherit his es-
tate.

SEC. 2. That should the said James McCullough die intestate, the said Joseph Allen McCullough shall inherit, in common with the other lawful heirs of the said James McCullough, his estates, both personal and real.

Approved March 9, 1872.

No. 107. AN ACT TO CHARTER THE UNION SAVINGS BANK, OF GEORGETOWN, S. C.

Corporators.

Corporate
name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James A. Bowley, W. H. Jones, Jr., Thomas D. McDowell, S. R. Carr and James Murrell, together with such other persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the "Union Savings Bank, of Georgetown, South Carolina," and, by this name and style, shall be, and is hereby, made capable in law to have, purchase, enjoy and retain, to it and its successors, lands, rents, tenements, goods, chattels and effects of what kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of Record, or any other place whatsoever; and, also, to make, have and use a common seal, and the same to alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation, not being contrary to the laws of the State or the Constitution thereof.

SEC. 2. The capital stock of said corporation shall not be less than ten thousand dollars, which may be increased, from time to time, to a sum not exceeding two hundred thousand dollars, and shall be paid in and accumulated as hereinafter provided.

A. D. 1872.

Capital.

SEC. 3. That said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks; in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any corporate company; to lend money upon personal or real security; to discount bonds, notes, and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange, or other evidences of debt.

Investment
of funds.

SEC. 4. That said corporation shall receive deposits from any person or persons, and all such deposits shall be invested as the Board of Directors may deem most advantageous, and in accordance with Section 3, and interest shall be allowed to the depositors thereof, as may be directed or provided for by the by-laws of the institution.

Deposits.

SEC. 5. Each subscriber to stock in this Bank shall, on or before the fifth day of each month, pay, at the office of the Bank, one dollar per share of his or her subscription, and any subscriber failing to do so shall be fined five cents per share for such delinquency, and for each succeeding ten days of such delinquency, ten cents per share additional; and if, at the expiration of two months, such delinquency shall still exist, the stock shall be sold at public auction, the proceeds of which shall be paid to such delinquent stockholder, after deducting all fines that may be charged against him, or his proportion of all losses sustained, and expenses incurred by the institution, in the course of its business.

Penalty for
failure to pay
subscriptions

SEC. 6. As soon as the stock becomes of the value of one hundred dollars per share, scrip shall be issued to each stockholder for the number of shares standing in his or her name on the books of the institution, signed by the President and Cashier, with the corporate seal of the Bank affixed, from which time the payment of monthly installments shall cease.

Issue of
scrip.When pay-
ments of in-
stallments
shall cease.

SEC. 7. Any stockholder, at any time prior to the stock becoming of the value of one hundred dollars per share, may withdraw from the institution, upon written notice being given at any regular meeting of the Board of Directors, and, at the expiration of ninety days, the institution shall pay to said stockholder the actual value of his or her stock at the date of notice of withdrawal, the monthly installments of such stockholder ceasing from date of said notice, or said stockholder may sell or transfer his or her interest to any other

Right of
stockholders
to withdraw.

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person, the purchaser being placed on an equality with the other stockholders.

Actual value
of stock de-
fined.

SEC. 8. By actual value of the stock is meant the amount paid in by each stockholder, together with his or her proportion of any losses that may have occurred, and withholding his or her proportion of any investments about which the Board of Directors may be doubtful, until they are satisfied.

Dividends.

SEC. 9. As soon after the stock becomes of the value of one hundred dollars per share, and scrip is issued therefor, the Directors may make dividends, at such times, and of so much of the profits of the Bank as shall appear to them advisable.

Election of
officers.

Appoint-
ment of sub-
ordinates.

SEC. 10. There shall be elected, as soon after the ratification of this Act as the corporators and subscribers may deem advisable, and annually thereafter, seven Directors from their number, who shall appoint one of their number President, and may fill any vacancy occurring in the Board, unless it be by removal, in which case the members shall fill the same in general meeting. The Board shall appoint (to hold at its pleasure) the subordinate officers and agents, prescribe their duties and compensation, and take from them such bonds, with security, as it may deem advisable.

Meetings.

SEC. 11. It shall be competent, at any general meeting of stockholders, to change the time of holding the annual meetings; and extra meetings may be called, at any time, upon a written application to the Board of Directors, signed by stockholders representing not less than one-half of the capital stock; and at all meetings of stockholders, each share shall entitle its holder to one vote, and a representation of a majority of the entire stock, by the holders in person, or by their proxies, shall be requisite to constitute a quorum.

Special pow-
ers.

SEC. 12. The said company is hereby declared capable in law of holding and exercising the office of executor, by appointment of any testator; the office of administrator of the testator or intestate, by appointment of the Court of Probate; the office of guardian, or other trustee of any estate which may be held in trust by appointment of any person or Court of competent authority to make such appointment, and the office of trustee under any mortgage; and, in any such case, the said company, or executor, administrator or trustee shall be subject to the same measure of accountability, and to the same rules and regulations of law which pertain to such trusts when held and exercised by natural persons, except that, in lieu of any bond to be required of said company for the administration of any trust, the capital stock and other assets of the company shall be pledged for the faithful discharge of any trust.

Liability of
stockholders.

SEC. 13. That the stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in said

corporation for all its debts and liabilities upon note, bill or otherwise; and, further, no Director or other officer of said corporation shall borrow any money from said corporation. And if any Director or other officer shall be convicted, upon indictment of, directly or indirectly, violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

A. D. 1872.

SEC. 14. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading; and the charter hereby granted shall be in force from its passage, and continue in force for a period of thirty years.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE FIREMEN'S UNION, OF CHARLESTON, S. C. No. 108.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas S. Denison, John R. Campbell, Parris S. Attles, H. Bolden Pickinpack, Arthur B. Mitchell, Nathan S. Robinson, Daniel L. Brown, Wm. E. Elliott, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared to be a body politic and corporate, by the name and style of "The Firemen's Union, of Charleston, S. C."

Corporators.

SEC. 2. That the said association shall have succession of officers and members, according to its by-laws; shall have power to make by-laws, not repugnant to law; and to have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State; to retain, possess and enjoy all real and personal property that it may now have, or may hereafter acquire, to the value of ten thousand dollars; and it is hereby empowered, at any time it may be deemed beneficial to the corporation, to sell, alien or transfer the same.

Corporate name.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 9, 1872.

A. D. 1872.

No. 109.

AN ACT TO INCORPORATE THE GRAND LODGE OF FREE AND
ACCEPTED ANCIENT YORK MASONS OF THE STATE OF SOUTH
CAROLINA, AND THE SUBORDINATE LODGES UNDER ITS JU-
RISDICTION.

SECTION 1. *Be it enacted* by the Senate and House of Represen-
tatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George E. Johnson, Wm. H. Birney, T. B. Maxwell, Wm. B. Nash, B. A. Rosemon, Jr., H. J. Maxwell, H. E. Hayne, Wm. Inglis, Jr., Wm. C. Young, H. L. Bell, R. B. Elliott, R. E. Dereef, J. A. Bowley, R. H. Gleaves, W. H. Jones, Jr., and their successors in office, be, and they are hereby, incorporated, by the name of "The Most Worshipful Grand Lodge of Free and Accepted Ancient York Masons, of the State of South Carolina," and by that name shall have capacity to sue and be sued, plead and be impleaded, in any and all of the Courts of this State; to contract and be contracted with; to have a common seal, and to alter the same at pleasure. And the said Grand Lodge, through its four principal officers, shall have perpetual succession, and may grant dispensations and charters to subordinate Lodges, to be subject to and under its Masonic jurisdiction, and make, ordain and establish its constitution, by-laws, rules and regulations, not inconsistent with the Constitution or laws of this State, or of the United States; and may acquire, hold and enjoy so much real estate as may be necessary for the erection of proper buildings and offices, not to exceed ten acres, for carrying on and conducting its business; and, in the erection of its Lodge room, may erect store rooms or offices in the lower stories thereof, and rent out the same and collect the rent, and hold or loan the same out, as the Grand Lodge may desire, subject to the regulations hereinafter prescribed.

Power to
collect revenue and dis-
pose of the
same.

Proviso.

SEC. 2. That said Grand Lodge shall have power to collect its revenue and to apply the same, according to the ancient custom of the order, or may loan out the same for the purpose of aiding in benevolent enterprises, or for the purposes of accumulation: *Provided*, That the funds, in money or choses in action, shall not exceed, in available assets, the sum of fifty thousand dollars at any one time, and shall not be loaned upon usurious interest, nor shall the funds or accretions thereof be used otherwise than for the payment of the expenses of the said Grand Lodge, and for charitable purposes; and being thus set apart, the same shall not be liable to taxation.

SEC. 3. That all contracts made, or obligations assumed heretofore, which are not inconsistent with the laws of the land, by said

Grand Lodge, be, and the same are hereby, made valid and binding upon said Grand Lodge, as organized under this charter; and the acceptance of this charter by a resolution of said Grand Lodge shall be all that is required to complete its organization under the same.

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SEC. 4. That the three principal officers of each subordinate lodge, under the jurisdiction of this Grand Lodge, and their successors in office, be, and the same are hereby, created a body politic and corporate, so far as to enable them, for each of their respective lodges, to receive, hold and enjoy, possess and retain property, both real and personal, not exceeding in value the sum of twenty-five thousand dollars, and to sell, alien, or lease the same, in any manner deemed advisable by said subordinate lodges, and which said subordinate lodges shall be, and are hereby, incorporated by the name specified in the charter or dispensation granted by the said Grand Lodge to each of them, respectively, which said charters or dispensations, whether granted heretofore or hereafter by said Grand Lodge, shall be evidence of the fact of incorporation under this Act, in any Court of this State, without further proof; and by such name said subordinate lodges may sue and be sued, plead and be impleaded, and do all things enjoined by the said Grand Lodge, not inconsistent with the Constitution or laws of the land, and within the scope and purview of the powers hereby conferred upon said Grand Lodge; and the said subordinate lodges, respectively, shall retain their said corporate powers so long as the said Grand Lodge shall continue their respective charters or dispensations, but shall cease to possess any corporate existence when the charter or dispensation shall have been revoked or taken away by said Grand Lodge; and all the effects of such subordinate lodge as may forfeit its charter or dispensation shall belong to the said Grand Lodge; and each subordinate lodge shall have the same powers, with respect to its assets, as are conferred by the second Section of this Act upon the Grand Lodge.

Subordinate
Lodges, char-
ters of, pro-
vided for.

Powers, &c.

Limitation
of charter.

SEC. 5. That the said Grand Lodge, and such subordinate lodge under its jurisdiction, shall have, respectively, power to receive by gift, grant, contract, devise or donation, by will, subscription or otherwise, any personal or real estate, not exceeding in value the sum hereinabove mentioned as the maximum of their assets, respectively, and shall have power to sell, alien or dispose of the same; and no such gift, grant, contract or devise, or donation by will, subscription or otherwise, shall fail by reason of any misdescription in the name of such corporation; and all contracts or agreements which may have been lawfully entered into by said subordinate lodges, under their organization heretofore, shall be binding upon them in their

Power to
hold and dis-
pose of prop-
erty.

A. D. 1872.

several corporate capacities under this Act; and the same may be enforced by them, respectively; and the property and effects owned by them, being dedicated to charitable purposes only, shall be exempt from taxation.

SEC. 6. That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all the Courts of Justice and elsewhere in this State, and shall be given in evidence on any trial of any issue or cause, without specially pleading.

Approved March 9, 1872.

No. 110. AN ACT TO RENEW THE CHARTER OF THE HOPE STEAM FIRE ENGINE COMPANY, OF CHARLESTON.

Renewal of
charter.

Subject to
provisions of
Act of 1836.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Hope Fire Engine Company, of Charleston, is hereby renewed and continued in force until repealed, and the said company is hereby authorized to adopt the name and style of the Hope Steam Fire Engine Company, of Charleston: *Provided*, The said Hope Steam Fire Engine Company, of Charleston, and the members thereof, shall, at all times, be subject to the provisions of the 12th Section of the Act passed on the 21st day of December, in the year 1836, entitled "An Act for the better regulating of the Fire Department of the City of Charleston."

Approved March 9, 1872.

No. 111. AN ACT TO AMEND SUNDRY SECTIONS OF THE CODE OF PROCEDURE RELATING TO THE CIRCUIT COURTS.

Second Cir-
cuit.
Third Cir-
cuit.
Fourth Cir-
cuit.
Sixth Circuit.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Counties of Aiken, Beaufort, Barnwell and Colleton shall constitute the Second Circuit; that the Counties of Sumter, Clarendon, Williamsburg and Georgetown shall constitute the Third Circuit; that the Counties of Chesterfield, Marlboro, Darlington, Marion and Horry shall constitute the Fourth Circuit; that the Counties of Chester,

Lancaster, York and Fairfield shall constitute the Sixth Circuit; that the Counties of Newberry, Laurens, Union and Spartanburg shall constitute the Seventh Circuit.

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Seventh Cir-
cuit.

SEC. 2. The Circuit Courts in the Second Circuit shall be held as follows: 1. The Court of General Sessions, at Aiken, for the County of Aiken, on the second Monday of January, May and September; and the Court of Common Pleas, at Aiken, for the County of Aiken, on the first Wednesday after the second Monday of January, May and September. 2. The Court of General Sessions, at Blackville, for the County of Barnwell, on the third Monday in January, May and September; and the Court of Common Pleas, at Blackville, for the County of Barnwell, on the fourth Monday of January, May and September. 3. The Court of General Sessions, at Beaufort, for the County of Beaufort, on the first Monday of February, June and October; and the Court of Common Pleas, at Beaufort, for the County of Beaufort, on the second Monday of February, June and October. 4. The Court of General Sessions, at Walterboro, for the County of Colleton, on the third Monday of February, June and October; and the Court of Common Pleas, at Walterboro, for the County of Colleton, on the fourth Monday of February, June and October.

Second Cir-
cuit.

Aiken.

Barnwell.

Beaufort.

Colleton.

SEC. 3. The Circuit Courts in the Third Circuit shall be held as follows: 1. The Court of General Sessions, at Sumter, for the County of Sumter, on the second Monday of January, May and October; and the Court of Common Pleas, at Sumter, for the County of Sumter, on the first Wednesday after the second Monday of January, May and October. 2. The Court of General Sessions, at Manning, for the County of Clarendon, on the fourth Monday of January, May and October; and the Court of Common Pleas, at Manning, for the County of Clarendon, on the first Wednesday after the fourth Monday of January, May and October. 3. The Court of General Sessions, at Kingstree, for the County of Williamsburg, on the first Monday after the fourth Monday of January, May and October; and the Court of Common Pleas, at Kingstree, for the County of Williamsburg, on the first Wednesday after the fourth Monday of January, May and October. 4. The Court of General Sessions, at Georgetown, for the County of Georgetown, on the second Monday after the fourth Monday of January, May and October; and the Court of Common Pleas, at Georgetown, for the County of Georgetown, on the first Wednesday after the second Monday after the fourth Monday of January, May and October.

Third Cir-
cuit.

Sumter.

Clarendon.

Williams-
burg.

Georgetown.

SEC. 4. The Circuit Courts in the Fourth Circuit shall be held as follows:

Fourth Cir-
cuit.

1. The Court of General Sessions, at Chesterfield, for the County Chesterfield.

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of Chesterfield, on the first Monday of January, May and September; and the Court of Common Pleas, at Chesterfield, for the County of Chesterfield, on the first Wednesday after the first Monday of January, May and September.

Marlboro.

2. The Court of General Sessions, at Bennettsville, for the County of Marlboro, on the third Monday of January, May and September; and the Court of Common Pleas, at Bennettsville, for the County of Marlboro, on the first Wednesday after the third Monday of January, May and September.

Darlington.

3. The Court of General Sessions, at Darlington, for the County of Darlington, on the first Monday of February, June and October; and the Court of Common Pleas, at Darlington, for the County of Darlington, on the first Wednesday after the first Monday of February, June and October.

Marion.

4. The Court of General Sessions, at Marion, for the County of Marion, on the third Monday of February, June and October; and the Court of Common Pleas, at Marion, for the County of Marion, on the first Wednesday after the third Monday of February, June and October.

Horry.

5. The Court of General Sessions, at Conwayboro, for the County of Horry, on the first Monday after the fourth Monday of March, July and November; and the Court of Common Pleas, at Conwayboro, for the County of Horry, on the first Wednesday after the first Monday after the fourth Monday of March, July and November.

Sixth Circuit.

SEC. 5. The Circuit Courts in the Sixth Circuit shall be held as follows:

Chester.

1. The Court of General Sessions, at Chesterville, for the County of Chester, on the first Monday of January, May and September; and the Court of Common Pleas, at Chesterville, for the County of Chester, on the first Wednesday after the first Monday of January, May and September.

Lancaster.

2. The Court of General Sessions, at Lancaster, for the County of Lancaster, on the first Monday of February, June and October; and the Court of Common Pleas, at Lancaster, for the County of Lancaster, on the first Wednesday after the first Monday of February, June and October.

York.

3. The Court of General Sessions, at Yorkville, for the County of York, on the first Monday of March, July and November; and the Court of Common Pleas, at Yorkville, for the County of York, on the first Wednesday after the first Monday of March, July and November.

Fairfield.

4. The Court of General Sessions, at Winnsboro, for the County of Fairfield, on the first Monday of April, August and December;

and the Court of Common Pleas, at Winnsboro, for the County of Fairfield, on the first Wednesday after the first Monday of April, August and December.

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SEC. 6. The Circuit Courts in the Seventh Circuit shall be held as follows :

Seventh Circuit.

1. The Court of General Sessions, at Newberry, for the County of Newberry, on the third Monday of January, May and September; and the Court of Common Pleas, at Newberry, for the County of Newberry, on the first Wednesday after the third Monday of January, May and September.

Newberry.

2. The Court of General Sessions, at Laurensville, for the County of Laurens, on the third Monday of February, June and October; and the Court of Common Pleas, at Laurensville, for the County of Laurens, on the first Wednesday after the third Monday of February, June and October.

Laurens

3. The Court of General Sessions, at Unionville, for the County of Union, on the third Monday of March, July and November; and the Court of Common Pleas, at Unionville, for the County of Union, on the first Wednesday after the third Monday of March, July and November.

Union.

4. The Court of General Sessions, at Spartanburg, for the County of Spartanburg, on the first Monday after the fourth Monday in March, July and November; and the Court of Common Pleas, at Spartanburg, for the County of Spartanburg, on the second Monday after the fourth Monday in March, July and November.

Spartanburg.

SEC. 7. That all writs and processes which shall have been made returnable to the Courts of any of the said Counties, according to the laws heretofore of force, shall be legal and valid, to all intents and purposes, for the Courts next to be held in the said Counties, respectively, according to the provisions of this Act; and all persons already summoned, or who may hereafter be summoned, to attend the Courts of any of said Counties, as jurors or witnesses, or who are now, or hereafter shall be, bound in recognizance to appear at any of the said Courts, according to the laws heretofore of force, shall be, and are hereby, required to attend or appear at the Courts of the said Counties, respectively, next to be held, according to the provisions of this Act.

Writs and processes, issued according to laws heretofore of force, legal and valid.

Jurors and witnesses, summoned according to laws heretofore of force, required to appear at Courts held according to this Act.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE CHARLESTON, GEORGETOWN AND CONWAYBORO RAILROAD COMPANY.

No. 112.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

- A. D. 1872.** eral Assembly, and by the authority of the same, That for the purpose of constructing a railroad, of one or more tracks, from some point at or near the city of Charleston, through the Counties of Charleston and Georgetown, to some point at or near the town of Georgetown, and thence through Horry County, to some point at or near Conwayboro, thence to the North Carolina State line, that
- Corporators.** C. B. Stuart, Henry M. Drane, Ed. R. Wiggin, Samuel P. Vick, Wm. A. Greenleaf, W. H. McDowell, John Douglass, W. F. Johnston, J. Walker, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name of the
- Corporate name.** Charleston, Georgetown and Conwayboro Railroad Company, and, by such title, shall have a corporate existence for the term of thirty (30) years; and may sue and be sued, plead and be impleaded, in every proper Court of the State of South Carolina; and may have
- General powers.** and use a common seal, which it may change or alter at pleasure; and shall be capable of purchasing, holding, using, leasing and conveying estate, real, personal and mixed, and other property, and acquiring the same by gift or devise; and may make all necessary by-laws and regulations for its government, not inconsistent with the Constitution and laws of the State of South Carolina, and of the United States.
- Line of road.** SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad, of one or more tracks, extending from some point at or near Charleston, to some point at or near Georgetown, thence to some point at or near Conwayboro, thence to some point on the North Carolina State line in Horry County, the particular route of same to be determined upon by the company after the same shall have been formed.
- Capital.** SEC. 3. That the capital stock of said company shall be three
- Shares.** millions of dollars, in shares of one hundred dollars each, with the privilege of increasing the said capital stock to such an amount as may be found necessary to construct, equip and maintain the said railroad; and the shares shall be personal property, transferable in such manner as the by-laws may direct; and, for the raising of such capital stock, it shall be lawful to open books of subscription, at such times and places, and under the direction of such persons, as
- Subscriptions.** said company may determine. That the said subscriptions to the capital stock may be made in money, bonds, lands, material or work at such rates, and on such terms as may be agreed upon at the
- Articles of association to be filed in office Secretary of State.** time of such subscription. A copy of any articles of association, signed by the incorporators named in this Act, or any number of them, not less than five, may be filed in the office of the Secretary of State, and, thereupon, the persons subscribing such articles of association, and all persons who shall become stockholders in such

company, shall be a corporation, in deed and in law, for the purposes herein set forth, and shall be considered organized by such act of association.

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SEC. 4. That the company hereby authorized shall be allowed six months, after the passage of this Act of incorporation, in which to file the articles of association in the office of the Secretary of State, as provided for in Section 3. And the railroad hereby authorized to be constructed shall be commenced within two years after the passage of this Act, or otherwise the charter shall be void.

Time in which to file said articles.

SEC. 5. That the said railroad company is hereby authorized to construct and operate one or more lines of telegraph along its railway, charging and collecting such remuneration for messages or dispatches as the President and Board of Directors may determine. The said company may connect said line of telegraph with the lines of any other company in this or any adjoining State, and may lease, farm out, or sell the above right, as, in the judgment of the President and Board of Directors, may most advantageous to the interest of the company.

Time of commencing said road limited.

Telegraphs.

SEC. 6. That the said company is hereby authorized and empowered to mortgage any or all of its property and franchises, and issue bonds and preferred stock to an amount, and on such terms and conditions, and for such uses and purposes of the said corporation, as the President and Directors thereof deem expedient for the best interests of the company.

May mortgage its property.

SEC. 7. That the said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real, personal and mixed, franchises, rights, privileges and property into and with the capital stock, estate, real, personal and mixed, franchises, rights, privileges and property of any other railroad company or companies, chartered by and organized under the laws of this or any other State or States, whenever the two or more railroad companies so to be merged and consolidated shall or may form a continuous line of railroad with each other, or by means of any intervening railroad, bridge or ferry; and such consolidation shall or may be effected in such manner, and on such terms and conditions, as the President and Board of Directors may determine.

Right of consolidation with other roads.

SEC. 8. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement." *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

Subject to provisions of Act of 1868.

A. D. 1872.

SEC. 9. That this Act shall go into effect on and after its passage; and all Acts or parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved March 9, 1872.

NO. 113. AN ACT TO INCORPORATE THE BEAUFORT HORSE RAILROAD COMPANY, IN THE TOWN AND COUNTY OF BEAUFORT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Robert Smalls, R. S. Bennett, P. E. Ezekiel, James M. Crofut, W. J. Whipper, J. B. Bascomb, Samuel Green, J. W. Collins, N. B. Meyers, E. Nehemias, and all those persons who may hereafter be associated with them, be, and the same are hereby, made and declared a body corporate, under the style and title of the Beaufort Horse Railroad Company, and, by such title, may sue and be sued, and may plead and be impleaded; and shall have authority and power to take, subscribe and raise a capital stock to the amount of twenty-five thousand (25,000) dollars, in shares of twenty-five (25) dollars each, for the purpose herein specified; and they are hereby further authorized and empowered to increase the said capital stock to the sum of fifty thousand dollars: *Provided*, That such increase shall be assented to by the majority of the stockholders.

SEC. 2. That the said Beaufort Horse Railroad Company, of Beaufort, shall have power and authority to lay a railway track from the east end of Bay street, in the town of Beaufort, through and along Bay street, and connecting with the Port Royal Railroad, and such other points as they may deem most advantageous.

SEC. 3. That the said Beaufort Horse Railroad Company, of Beaufort, shall be able and capable, by its corporate name, to buy property, and to sell, for the purpose of its business; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State; and have succession of officers and members; and shall have power to make by-laws, not repugnant to the laws of the land, for the government and good order of its members, as shall be deemed expedient by a majority of the stockholders; and to have a common seal, and to alter and make new the same.

SEC. 4. That the said Beaufort Horse Railroad Company, of Beaufort, shall have power and authority to issue bonds to an amount equal to one-half of the capital subscribed, the same to be

redeemable at such time, not exceeding ten (10) years, as may be agreed upon by the said company, and to bear interest at seven per cent. per annum, payable semi-annually.

A. D. 1872.

SEC. 5. That this Act shall remain in force, and continue for the term of ninety-nine (99) years.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 12, 1872.

AN ACT TO PREVENT CERTAIN OFFICERS FROM BUYING, DISCOUNTING OR SHAVING TEACHERS' PAY CERTIFICATES OR OTHER ORDERS ON SCHOOL FUNDS, OR JURORS' CERTIFICATES.

No. 114.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That it is hereby declared to be unlawful for any County Treasurer, County Auditor, County School Commissioner or School Trustee to buy, discount or shave, directly or indirectly, or be in any way interested in any teacher's pay certificate or other order on school funds, or jurors' certificates.

Certain officers prohibited from dealing in teachers' and jurors' certificates.

SEC. 2. That, if any of the officers aforesaid shall violate the provisions of Section 1 of this Act, he shall be deemed to be guilty of a misdemeanor, and, on conviction thereof, shall pay a fine of not less than five hundred (500) dollars, nor more than two thousand (2,000) dollars, to be used for school purposes in his County, and shall be imprisoned at the discretion of the Court, or either, or both.

Penalty for violation of this Act.

SEC. 3. That this Act shall take effect from its passage.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE BULL RIVER AND PORT ROYAL RAILROAD COMPANY.

No. 115.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the pur-

- A. D. 1872.** pose of establishing a railroad from some point on Bull River, to a junction with the Port Royal Railroad, at a point at or near Whale Branch, a charter, with the rights and privileges incidental to the same, be, and the same is hereby, granted to and vested in D. C.
- Corporators.** Wilson, Robert Smalls, J. G. Thompson, W. J. Whipper, J. M. Crofut, N. B. Myers, F. E. Wilder, J. B. Bascomb, W. M. French, Samuel Green, P. L. Wiggin, S. B. Thompson, Alfred Williams, M. Pollitzer, P. Coxum, W. E. Towne, J. S. Brown, J. S. Mobley, and their associates; and when a company shall be formed, in compliance with the conditions herein prescribed, it shall be known by the name of the Bull River and Port Royal Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.
- Corporate name.**
- Capital stock.** SEC. 2. That the capital stock of said company shall be one million (1,000,000) dollars, in shares of twenty-five dollars each; and, in order to raise the said capital stock, it shall be lawful to open books of subscription in such places, and at such times, as may be deemed for the best interest of the corporation, under the direction of the corporators; the times and places for receiving such subscriptions to be determined by a majority of the incorporators; but should such majority fail to fix such times and places, they may be fixed by any four of the corporators hereinbefore named, they having first given due notice of the same in any newspaper published in Beaufort or Charleston Counties; and said subscription books shall be kept open for twenty days from such time, and at such places, as said corporators may determine. When fifty thousand dollars shall have been subscribed, the said corporators, or any four of them, shall give notice, by publication for at least ten days, of the time and place of meeting for organization.
- Books of subscription.**
- Notice to be given when certain amounts are subscribed.**
- Corporation entitled to privileges conferred on Port Royal R. Company.** SEC. 3. Whenever the said sum of fifty thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, with all the rights, powers and privileges conferred upon the "Port Royal Railroad Company," by an Act entitled "An Act to charter the Port Royal Railroad Company," ratified December the 21st, A. D. 1857: *Provided*, That nothing herein contained shall be so construed as to exempt said company from the provisions of Section 1 of Chapter 63 of the General Statutes.
- Issue of bonds.** SEC. 4. That said "Bull River and Port Royal Railroad Company" shall have power to mortgage its property and franchises, and issue bonds, at such rates of interest, and upon such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient.

SEC. 5. That no other railroad shall be constructed with a terminus or point of beginning within ten miles of the line of said "Bull River and Port Royal Railroad" for a period of ten years.

A. D. 1872.

No railroad to be constructed within ten miles of line of said road.

SEC. 6. That the said company shall have the right to build bridges across navigable rivers: *Provided*, They shall put in good and sufficient draws, and shall construct necessary stations and turn-outs, and shall have one or more tracks to the road, with such gauge as will correspond with that of the "Port Royal Railroad."

May build bridges.

SEC. 7. Nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

SEC. 8. Said railroad shall be commenced within one year, and completed within seven years, after the passage of this Act.

Approved March 12, 1872.

AN ACT TO RENEW AND AMEND THE CHARTER OF ERSKINE COLLEGE, AT DUE WEST, IN ABBEVILLE COUNTY, S. C.

No. 116.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. J. Boyce, D. D., Rev. W. M. Grier, J. L. Miller, J. W. Hearst, P. H. Bradley, W. K. Bradley, D. O. Hawthorne, J. L. Pressley, W. S. Lowry, Wm. Hood, Rev. J. N. Young, Rev. J. I. Bonner, J. P. Kennedy, Rev. J. P. Pressley, D. D., Rev. J. C. Chalmers, Rev. H. T. Sloan, J. Pratt, Rev. R. A. Ross, Rev. R. Latham, R. C. Sharp, Rev. R. A. Fair, R. W. Lites, Rev. J. Galloway, Rev. R. W. Brice, J. Neil, James Lowry, Rev. J. C. Boyd, Rev. W. L. Pressley, S. Donald, R. R. Hemphill, and their successors in office, be, and they are hereby, created a body politic and corporate, by the name and style of the "Trustees of Erskine College," a seminary of learning, situated at Due West, in Abbeville County, in the State of South Carolina; and as such, and by said name, shall be capable and liable, in law and equity, to sue and be sued, plead and be impleaded; to use a common seal; and to make such by-laws and rules for the regulation and government of said college, as they may deem necessary: *Provided*, That said by-laws and rules be not repugnant to the Constitution and laws of this State, or of the United States.

Corporators.

Corporate name.

General powers.

SEC. 2. That Sections 2, 3, 4, 5 and 6 of an Act entitled "An Act to charter and incorporate Erskine College, at Due West, in

A. D. 1872. Abbeville District," ratified December 20, 1850, be, and the same are hereby, continued in force.

SEC. 3. This Act shall be taken and deemed to be a public Act, and continue in force until repealed.

Approved March 12, 1872.

No. 117. AN ACT TO CHANGE THE NAMES OF TYRRELL WILLARD AND IDA WILLARD, AND MAKE THEM THE LEGAL HEIRS OF T. J. JONES.

Preamble. Whereas it is the desire of the mother of two children, bearing the names of Tyrrell Willard and Ida Willard, to have their names changed, and that they should become the legal heirs of T. J. Jones; and whereas it is also the desire of T. J. Jones to adopt said children and make them his legal heirs; now, therefore,

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Tyrrell Willard and Ida Willard be changed to that of Tyrrell Jones and Ida Jones, and that they be declared the legal heirs of T. J. Jones.

Approved March 12, 1872.

No. 118. AN ACT TO INCORPORATE THE COLUMBIA ARTIFICIAL STONE AND CEMENT COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. M. Stoeber, A. Falk, and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Columbia Artificial Stone and Cement Company, with a branch at Charleston, S. C., for the purpose of manufacturing artificial stone and cement, with a capital of five thousand dollars, with the privilege to increase—the consent of the stockholders first had and obtained.

SEC. 2. That the said company shall have such officers as shall be ordained and chosen by the rules and by-laws to be made for their government, and shall have power and authority to make all

rules and by-laws, not repugnant to the laws of the land ; to regulate the issue of script and transfer of shares ; to have and keep a common seal, and the same to alter at will ; to sue and be sued, plead and be impleaded, in any Court of law or equity ; to purchase, take and hold, sell and alien, in fee simple, or for any less estate, lands, tenements, hereditaments, goods, chattels, rights and credits, which may be connected with, or in any manner conducive to, the purposes for which said company is established : *Provided*, That this company shall enjoy all the privileges, and be subject to all the liabilities and restrictions, of the Act entitled "An Act to regulate the formation of corporations."

A. D. 1872.

SEC. 3. That the State of South Carolina give and grant to the above named company the right to dig and remove, for the term of twenty years, from the beds of streams and waters within the jurisdiction of the State of South Carolina, the gravel, sand and shell lime there deposited : *Provided*, That the persons named, and their associates, shall not, in any way, interfere with the free navigation of the streams of the State, or dig, mine, or remove any phosphate rock or phosphates, or to interfere with the private rights of any citizen residing upon, or owning the lands upon, the banks of the said rivers : *And it is further provided*, That said company shall pay into the State Treasury, on the first Monday of April in each year, a royalty of twenty dollars, as compensation for the within privilege, if exercised by the grantees.

Empowered
to dig and re-
move gravel,
sand, &c.,
from beds of
rivers.

Royalty.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE ORANGEBURG COUNTY FAIR ASSOCIATION.

No. 119.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. F. Barton, Samuel Dibble, Harpin Riggs, Laurence R. Beckwith, Wesley W. Culler, James D. Trezevant, Benjamin Byas, J. L. Jamison, Henry Johnson and T. K. Sasportas, and their associates and successors, be, and they are hereby declared to be, a body corporate and politic, in law and in deed, by the name of the "Orangeburg County Fair Association," and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change the same as often as the said corporation shall judge expedient ; and the said corporation shall be liable and capa-

Corporators.

Corporate
name.Powers and
privileges.

A. D. 1872.

ble in law to purchase, have, hold, receive, enjoy, possess and retain to itself and its successors, in perpetuity, any and every estate, real or personal, whether accruing to the same by gift, purchase, devise or conveyance, not exceeding in value fifty thousand dollars, and the same, or any part thereof, to sell, alien, devise or exchange as often as the said corporation may deem proper; and, by its name, to sue and be sued, implead and be impleaded, answer and be answered, in any Court of law in this State; and to make all such by-laws and rules for the government of the said corporation as may, from time to time, be deemed necessary: *Provided*, Such by-laws and rules be not repugnant to the laws of the land.

Objects of corporation.

SEC. 2. That the principal end of the said corporation shall be the promotion of agriculture, mechanical arts, and other industry and ingenuity, through an annual Fair, and other appropriate measures, according to such rules and regulations as they may see fit to establish.

Liability of members.

SEC. 3. That the members of the said corporation shall be, severally, liable for all debts and contracts of said corporation only to the extent and amount of their respective shares therein; and the capital stock of the said corporation shall not be less than five thousand nor more than fifty thousand dollars.

Property exempt from taxation.

SEC. 4. That the property and stock of the said corporation shall be exempted from County and municipal taxation, so long as no dividends shall be declared and distributed among its members.

SEC. 5. That this Act shall be deemed a public Act, and shall be taken notice of in all the Courts of this State without being specially pleaded.

Approved March 12, 1872.

No. 120. AN ACT TO INCORPORATE THE TRACTION STEAM ENGINE COMPANY, OF THE CITY OF COLUMBIA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard Tozer, John Bratton, Edward Hope, George Symmers, T. W. Woodward, George Dial, J. McKenzie, S. H. Spencer, William Simons, A. Goodson, W. B. Nash, F. J. Moses, Jr., William Green, James Davis, S. B. Thompson, R. Tarlton, together with such other persons who now are, or hereafter may be, associated with them, be,

and are hereby, incorporated and declared a body politic and corporate, under the name and style of the Traction Steam Engine Company, of the City of Columbia, for the purpose of manufacturing, selling, and using the same, and also for the transaction of all such business as may be connected with the same. The capital stock shall consist of twenty thousand (20,000) dollars, in shares of fifty (50) dollars each, with the privilege to increase it to any extent not exceeding fifty thousand (50,000) dollars, with the consent of a majority of the stockholders being first had and obtained.

A. D. 1872.

Corporate name.

Purposes of corporation.

Capital.

SEC. 2. That the said corporation shall have such number and succession of officers and members as shall be ordained and chosen according to the constitution, rules and by-laws made, or to be made, by the said corporation for its government; and shall have power and authority to make any such constitution, rules or by-laws, as are not repugnant to the Constitution and laws of the land; shall have and keep a common seal, and alter the same at will; shall sue and be sued, plead and be impleaded, in any Court of law in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies.

Powers and privileges.

SEC. 3. That the said company shall be empowered to purchase, retain and enjoy all such property, real and personal, as it may possess, be entitled to, or which shall hereafter be given, bequeathed to, or in any manner be acquired by it, and to sell, alien, or transfer the same.

May hold and dispose of property.

SEC. 4. That the said company shall have the power to erect machine shops, and other buildings necessary to carry on the said business. That they shall have the power to use such engines in any part of the State of South Carolina, for the purpose of drayage, carrying passengers, or cultivating land, and may use the same in any incorporated city: *Provided*, No damage to life or property ensues: *Provided*, That said corporation shall be liable for the payment of any and all damages done to life and property.

Power to erect machine shops and use engines.

Proviso.

SEC. 5. That the said company may open books for subscriptions to the capital stock in the city of Columbia, or elsewhere, at their discretion.

Subscription.

SEC. 6. That the private as well as the corporate property of the corporators shall be liable for all debts contracted for the corporation by its authorized agents.

Liability of corporators.

SEC. 7. That the said corporation shall have a legal existence from the time of the passage of this Act, and this Act shall continue in force until repealed.

Approved March 12, 1872.

A. D. 1872.

AN ACT FOR THE PROTECTION AND PRESERVATION OF USEFUL ANIMALS.

No. 121. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall not be lawful for any person in this State to kill any deer, or worry them with dogs, or otherwise, with the intention of destroying them, between the first day of January and the first day of September, in any year hereafter.

Killing or
worrying of
deer unlaw-
ful.

Penalty for
violating said
provision.

SEC. 2. That any person violating the foregoing provision of this Act, shall, upon conviction thereof, be fined not less than twenty dollars, or be imprisoned not less than twenty days, which fine, if imposed, shall be recoverable before any Court of competent jurisdiction; one-half thereof shall go to the informer, and the other half thereof to the school fund of the said County.

Persons hav-
ing in their
possession,
&c., liable as
above.

SEC. 3 That any person in whose possession recently killed venison, or fresh deer skins, shall be found, between the dates above mentioned, shall be liable to the same penalty as those violating Section 2 of this Act.

Killing or
injuring cer-
tain game un-
lawful.

SEC. 4. That it shall not be lawful for any person, in this State, between the 15th day of February and the 15th day of October, in any year hereafter, to catch, kill, or injure, or to pursue, with such intent, or sell, or expose for sale, any wild turkey, partridge, dove, wood-cock, snipe or pheasant; and any person found guilty thereof shall be fined not less than ten dollars, or be imprisoned not less than ten days, which fine, if imposed, shall go one-half thereof to the informer, and the other half thereof to the school fund of the County where the offense was committed.

Penalty.

Shooting or
entrapping
certain birds
unlawful.

SEC. 5. That it shall not be lawful for any person, in this State, to wantonly shoot, or entrap, for the purpose of killing, or in any other manner destroy, any bird whose principal food is insects, or take or destroy the eggs or young of any of the species or varieties of birds that are protected by the provisions of this Act, comprising all the species and varieties of birds represented by the several families of swallows, bats, whip-poor-wills, fly-catchers, thrashers, warblers, finches, larks, orioles, nut-hatchers, wood-peckers, humming birds, mocking birds, blue birds, red birds and robins, and all other species and varieties of land birds, whether great or small, of every description, regarded as harmless in their habits, and whose flesh is unfit for food, including the turkey buzzard, but excluding the jackdaw, the crow, the crow blackbird, the eagle, and all hawks and owls, which prey upon other birds; and any person violating the provisions of this Section shall, on conviction thereof, forfeit and pay a

fine of ten dollars, or be imprisoned not less than ten days, which fine, if imposed, shall go one-half to the informer, and the other half thereof to the school fund of the County in which the offense was committed: *Provided*, That no person shall be prevented from protecting any crop of fruit or grain on his own lands from the depredations of any birds herein intended to be protected.

A. D. 1872.

Penalty.

SEC. 6. Whenever a person shall have made or created an artificial pond on his own land, and shall put therein any fish, or the eggs of ponds.

any fish or oyster, for the purpose of breeding and cultivating fish or oysters, and shall give notice thereof, by written or printed handbills, put up in public places near said pond; and any person who shall thereafter enter in or about such pond for the purpose of fishing, or shall catch or take away any fish or oysters therefrom, or shall be guilty of committing any trespass upon any artificial fish pond by fishing in the same, or in any manner using any means to destroy the fish or oysters raised or collected in such pond, or by breaking the dam or dams for the purpose of permitting the fish or oysters to escape, or by poisoning the same, or in any manner destroying or injuring the same; and any such person or persons, upon conviction, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than twenty dollars nor more than one hundred dollars, or be imprisoned at the discretion of the Court; which fine, if imposed, shall go one-half thereof to the informer, and the other half thereof to the person or persons whose property shall have been injured: *Provided*, That nothing in this Section shall be construed as applying to ponds used as water power for manufacturing purposes.

Penalty
for fishing or
trespassing
in any man-
ner.

SEC. 7. That it shall not be lawful for any person in this State, after the first day of April, (1872,) to take any trout from the streams thereof, by impregnating the waters with poisonous or deleterious substances; and any person violating this provision shall, upon conviction thereof, be fined ten dollars for every such offense, or be imprisoned not less than ten days, which fine, if imposed, shall go one-half thereof to the informer, and the other half to the school fund of the County in which such offense shall have been committed.

Poisoning
waters
of
streams
un-
lawful.

Penalty.

SEC. 8. This Act shall take effect from and after its passage.

Approved March 12, 1872.

A. D. 1872.

No. 122.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF THE COUNTIES OF BARNWELL, EDGEFIELD, LEXINGTON AND ORANGEBURG, TO BE KNOWN AS AIKEN COUNTY."

Apportionment of Representatives.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5th of an Act entitled "An Act to establish a new judicial and election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County," be amended by striking out all after the word "the," in the second line, and inserting "Counties of Aiken, Barnwell, Edgefield, Lexington and Orangeburg shall be as follows in the House of Representatives: Aiken, four members; Barnwell, four; Edgefield, five; Lexington, two; and Orangeburg, five."

* Approved March 12, 1872.

No. 123. AN ACT TO RENEW AND AMEND THE CHARTER OF THE SAINT ANDREW'S LUTHERAN CHURCH, OF LEXINGTON COUNTY.

Charter renewed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to incorporate certain companies and societies," passed on the 20th day of December, Anno Domini 1837, as relates to the Saint Andrew's Lutheran Church, of Lexington County, be, and the same is hereby, re-enacted: *Provided*, That the said society be hereafter known by the name of the Saint Andrew's Lutheran Church, of Lexington County.

SEC. 2. *And be it further enacted*, That this Act shall be deemed a public Act, and continue in force for the term of fourteen years.

Approved March 12, 1872.

No. 124. AN ACT TO EMPOWER FATHERS TO LEGITIMATIZE CERTAIN CHILDREN BY LAST WILL AND TESTAMENT.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

and by the authority of the same, That white fathers of children born of black or colored mothers, who were formerly held as slaves, either during the time of such mothers' servitude, or since emancipation, the cohabitation between the parents of such children being still continued, be, and the same are hereby, authorized to so far legitimize such children, by last will and testament, as to enable them to inherit, possess and enjoy all rights, titles and hereditaments, the same as lawful children born in wedlock: *Provided, however,* That no such father may have been married during, at any time previous, whose wife was then living, or who since may have broken off such cohabitation for the purpose of marriage, or any other cause, shall be entitled to the power conferred by the provisions of this Act.

A. D 1872.

Legitima-
tizing certain
children born
out of lawful
wedlock.

Proviso.

Approved March 12, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT PROVIDING FOR THE ASSESSMENT AND TAXATION OF PROPERTY," PASSED SEPTEMBER 15, 1868, AND ALL ACTS AMENDATORY THERETO. No. 125.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 108 of the Act entitled "An Act providing for the assessment and taxation of property," passed September 15, 1868, be, and the same is hereby, altered and amended, by striking out all the proviso, after the words "delinquent land sale," in the twelfth line; that Section 114 of the same Act be amended by striking out the words "two years," and inserting, in lieu thereof, the words "ninety days;" that Section 116 of the same Act be, and the same is hereby, amended by striking out the words "two years," whenever the same appears therein, and insert, in lieu thereof, the words "ninety days;" that Section 117 of the same Act be, and the same is hereby, amended by striking out the words "one year," whenever the same may appear therein, and insert, in lieu thereof, the words "thirty days;" and by striking out the words "two years," whenever the same appears therein, and insert the words "ninety days," in lieu thereof; that Section 123 of said Act be, and the same is hereby, amended by striking out the words "two years," whenever the same may occur therein, and insert, in lieu thereof, the words "ninety days."

"Two years"
stricken out
wherever it
appears, and
"ninety days"
inserted.

A. D. 1872.

Penalty for recording conveyance in Register of Mesne Conveyance office prior to its being placed on record in office of County Auditor.

SEC. 2. That so much of the Act entitled "An Act to further amend an Act entitled 'An Act providing for the assessment and taxation of property,'" passed March 8, 1871, as provides that all deeds of conveyances of real estate shall be placed on record in the office of the County Auditor before the same can be placed on record in the office of the Register of Mesne Conveyance, be, and the same is hereby, amended by adding the following, viz: And for each and every violation of this provision by a Clerk of Court or Register of Mesne Conveyance, he shall, upon conviction, before any Court of competent jurisdiction, be fined in a sum of not less than five dollars, nor more than twenty dollars, and the costs of the action; one-half of said fine to be paid into the County Treasury for the benefit of the County, and the other half to be paid to the County Auditor.

Forfeited lands to be advertised, sold, and warranty deeds given.

SEC. 3. That all lands which have been forfeited to the State under the provisions of the Act providing for the assessment and taxation of property, passed September 15, 1868, and other Acts amendatory thereto, shall be advertised by the County Auditor, in manner provided by Section 107 of said Act, and sold by the County Treasurer to the highest bidder; and the County Auditor shall execute a "warranty deed" to the purchaser. The proceeds of the sale, after deducting fees allowed by law, and paying the County the amount of taxes and penalties due from such land, shall be forwarded to the State Treasurer by the County Treasurer, and shall be credited to the County from which it is received on account of the forfeited lands.

Proceeds to be forwarded to State Treasurer.

Time for sale of said lands.

SEC. 4. That all lands and real estate within this State, whereupon, or in respect whereof, any sum of money remains due or payable after the sale provided for in Section 15, Chapter XIII, Title III, of General Statutes, or which are liable to be sold for, or on account of, any tax laid by or under the authority of this State, for State or County purposes, in accordance with the provisions of either of the several Acts for the purpose of assessing and levying taxes for the support of the Government of the State and of the several Counties thereof, passed in the years 1868, 1869, 1870 and 1871, shall be exposed to sale, and sold for the payment of such taxes, and all penalties, costs and charges thereon accrued, on the first Monday in June, 1872, and, from day to day thereafter, Sundays only excepted, until the whole thereof shall be sold, at the place or places, on the terms and in the manner hereinafter provided; such sale shall be by the County Treasurer of each County, at the County seat, who shall expose and offer the said lands at public sale, to be sold and conveyed in fee simple, without any right of redemption, for the

payment thereof. If no person shall, at said sale, offer to purchase or take a less quantity of the lands so charged and offered than the whole thereof, at and for the amount so charged for the taxes, penalties, costs and charges, the said County Treasurer shall declare that the State is the purchaser thereof, at and for the amount so charged; and, thereupon, the State shall become invested in fee simple with the title to said lands, and the appurtenances and all the improvements thereon. If, at said sale, any person shall publicly offer to take a less portion than the whole of said lands, for the said taxes, penalties, costs and charges, then the said lands shall be sold to such person as shall offer to take the smallest portion thereof, and pay the same; and, upon the payment of the amount so due to said County Treasurer, said officer shall execute and deliver to the said purchaser a certificate, setting forth the fact of such purchase, and the payment of the amount bid; and, thereupon, the said purchaser shall be entitled to the grant from the State of the undivided right, title or interest, in fee simple, without redemption, in and to all the lands so sold and all lands belonging to any person or persons or corporation against whom such tax was levied and assessed, equal to the proportion which the amount bid holds to the whole of said lands so purchased, and the purchaser shall be entitled to demand partition thereof according to law; and, on such partition, the said purchaser shall be entitled to a proportional share and interest in all improvements thereon. In addition to the sums now assessed and chargeable upon said lands, there shall be added, at the time of said sale, five per centum of the amount of said taxes, penalties, costs and charges; which said sum is hereby appropriated for the payment of the expenses of said sale, and the collection of the moneys thereon. One-half of one per cent. to be for the use of the County, and the balance to be paid into the State Treasury. If any person to whom such lands shall be struck off shall fail forthwith to pay the amount bid therefor, said County Treasurer shall immediately expose and offer such lands for re-sale, as if no such previous sale had taken place. The County Treasurer shall make weekly remittances of all funds received, according to the provisions of this Act, to the State Treasurer, and shall forward monthly accounts for said funds to the State Treasurer.

A. D. 1872.

If no one purchases said lands, State to be declared purchaser.

County Treasurer to give certificate of purchase.

Five per centum added to costs, &c. to pay expenses of sale.

Re-sale.

Weekly remittance to be made to State Treasurer.

Governor to publish this Act.

SEC. 5. It shall be the duty of the Governor to cause this Act to be published in such manner as shall, in his judgment, be requisite to give full information hereof; the expense of such publication to be paid or reimbursed out of the funds authorized hereby to be charged as the expenses of said sale.

A. D. 1872.

Duty of
County Audit-
ors.County Au-
ditor to exe-
cute titles.

SEC. 6. It shall be the duty of each County Auditor of each County to exhibit the tax books thereof, showing all delinquent taxes herein provided for, for sixty days next preceding such sale, and all persons shall be entitled to inspect the same, between the hours of 9 o'clock A. M. and 12 M. of each day, Sunday excepted; and it shall be his duty to attend said sale, with the said tax books, and to furnish to said County Treasurer, and all persons requiring the same, such information as the records of his office may afford relative to the matter involved in said sale; and, upon the delivery of the Treasurer's certificate of sale, to execute a deed in accordance with Section 33, Chapter XIII, Title III, of the General Statutes of South Carolina.

SEC. 7. That this Act shall take effect from and immediately after its passage; and that all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 12, 1872.

No. 126. AN ACT TO INCORPORATE THE CHARLESTON LOAN ASSOCIATION,
OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel E. Gailliard, F. H. Frost, W. A. Grant, M. J. Hirsch, O. R. Levy, A. P. Ford, W. H. Jones, Jr., James A. Bowley, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Charleston, or any point within the State of South Carolina, and making loans of money, secured by mortgages on real estate, and the hypothecation of bonds, stocks and other choses in action, and personal property, to its members and stockholders, by the name and style of the "Charleston Loan Association, of the City of Charleston." The capital stock of said association to consist of two thousand five hundred shares; but, as soon as one thousand shares shall have been subscribed thereto, the said association shall organize and commence operations, said shares to be paid by successive monthly installments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be sub-

Corporators.

Purpose of
corporation.

Capital stock.

When asso-
ciation may
commence
operations.

Default in
payments,
penalty for.

ject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

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SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen, according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and the laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

Powers and privileges.

SEC. 3. That the funds of the said association shall be invested either in the purchase of real estate, in the County of Charleston, South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out or leased, or sold and conveyed, to the members and stockholders of said association, upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof, upon the security and by hypothecation of real estate in Charleston or the State aforesaid, or bonds, stocks or choses in action, or personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by and conveyed to it; or as may be mortgaged to it, by way of security, upon its loans and advances; or as may be by, or transferred and conveyed to it at sales under judgments or decrees of law or equity, for securing or recovering, or in compromise settlement of, any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed expedient.

Funds of the association, how to be disposed of.

May hold property for its stockholders.

SEC. 4. That if any of the funds of the said association shall remain unproductive, or uninvested and unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest (on such security, whether of mortgage or real estate, choses in action, or other personal property,) as may be agreed on, to be safely invested, to be repaid within one year.

Unproductive funds, how to be disposed of.

SEC. 5. That whenever the funds and assets of the said association

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Division of
funds and as-
sets.

shall have accumulated to such an amount that, upon a fair division thereof, such stockholders, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

SEC. 6. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved March 12, 1872.

No. 127. AN ACT TO RE-CHARTER MOUNTAIN LODGE, NO. 15, OF THE INDEPENDENT ORDER OF ODD FELLOWS, OF GREENVILLE COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons who now are, or hereafter may become, members of Mountain Lodge, No. 15, of the Independent Order of Odd Fellows, of Greenville County, South Carolina, be, and the same are hereby, declared and constituted a body politic and corporate, by the name and style above assigned.

Powers and
privileges.

SEC. 2. The Lodge aforesaid shall have succession of officers and members, according to its by-laws; and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, in any Court of this State; and to have and enjoy every right incident to incorporations. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by it; and to sell, alien or transfer the same: *Provided,* The amount so held shall in no case exceed the sum of twenty thousand dollars.

SEC. 3. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 12, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO SECURE ADVANCES FOR AGRICULTURAL PURPOSES."

A. D. 1872.

No. 128.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to secure advances for agricultural purposes," approved the twentieth day of September, A. D. 1866, be amended by inserting, in the fourth line of the first Section, between the words "supplies" and "to," the words "advances of medicines or medical attendance by any physician."

Amendment.

SEC. 2. That all the provisions and remedies in said Act, relating to persons who advance supplies for agricultural purposes, shall apply to persons advancing medicines or medical attendance as a physician, and also to blacksmiths who claim liens for work performed on plantation blacksmiths' tools; who pursue their trade or calling not within the limits of any incorporated city, town or village within this State: *Provided*, That the fee for each and every visit by a physician shall not exceed one dollar, and ten cents per mile, which price shall embrace the prescription.

Physicians and blacksmiths entitled to provisions of said Act.

Physicians' fees limited.

Approved March 12, 1872.

AN ACT TO CHARTER THE BIG BAY AND ADAMS' RUN (NARROW GAUGE) RAILROAD COMPANY.

No. 129.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of establishing a Railroad Company from Big Bay, with a lateral branch to Eddings' Bay, Edisto Island, to run in the most feasible and direct route to Adams' Run, intersecting the Charleston and Savannah Railroad at the above points, that a charter, with the rights and privileges incidental to the same, be, and the same is hereby, granted to, and vested in, John Wright, Henry Weldon, Carl Berlin, George Marstella, A. Berg, and their associates; and when a company shall be formed in compliance with the conditions herein prescribed, it shall be known by the name of Big Bay and Adams' Run Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.

Purpose of charter.

In whom vested.

Title.

SEC. 2. That the capital stock of said company shall be two hundred thousand dollars, in shares of twenty-five dollars each; and,

Capital stock.

A. D. 1872.

Books of
subscription.

in order to raise the said capital stock, it shall be lawful to open books of subscription in such places, and at such times, as may be deemed for the best interest of the corporation, under the direction of the corporators—the times and places for receiving such subscription to be determined by a majority of the corporators; but should such a majority fail to fix such times and places, then such times and places may be fixed by any three of the corporators hereinbefore named, having given due notice of the same in any newspaper of the State; and the subscription books shall be kept open for thirty days from such times, and at such places as said corporators may determine; that, on each share of stock subscribed, the said subscribers shall pay two dollars to the corporators, who shall deposit it in some National or State Bank. When ten thousand dollars shall have been subscribed, the corporators, or any three of them, shall give notice, by publication for at least ten days, of the time and place of meeting.

Notice to be
given.Railroad
from Adams'
Station to
Edisto Bay.

SEC. 3. That they are hereby authorized to build a railroad from Adams' Run Station, on the Charleston and Savannah Railroad, to Big or Edding's Bay, Edisto Island, South Carolina, with one or more tracks: *Provided*, They do not obstruct any regular mail or passenger trains on any road, or obstruct the navigation on any navigable stream over which the road aforesaid may have to cross; that good and sufficient draw bridges are to be built by the said corporation, should necessity require the same to be done: *Provided, further*, That said road shall be subject to the provisions of an Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement, ratified September 22, 1868.

Approved March 12, 1872.

No. 130. AN ACT TO AMEND AN ACT ENTITLED "AN ACT PROVIDING FOR THE GENERAL ELECTIONS, AND THE MANNER OF CONDUCTING THE SAME."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all general and special elections, held pursuant to the Constitution of this State, shall be regulated and conducted according to the rules, principles and provisions herein prescribed.

SEC. 2. The Commissioners of Election shall provide one box for each election precinct. An opening shall be made in the lid of the box, not larger than shall be sufficient for a single ballot to be inserted therein at one time, through which each ballot received, proper to be placed in such box, shall be inserted by the person voting, and by no other. Each box shall be provided with a sufficient lock, and such box shall be publicly opened and inspected, to see that it is empty and secure, and then locked just before the opening of the poll, and the keys returned to the Managers, and shall not be opened during the election. Each box for such precinct shall be labelled as follows: "Congress," "State," "Circuit," and "County Officers."

A. D. 1872.

Ballot boxes.

SEC. 3. At the close of the election, the Managers and Clerk shall immediately proceed, publicly, to open the ballot box and count the ballots therein, and continue such count, without adjournment or interruption, until the same is completed, and make such statement of the result thereof, and sign the same, as the nature of the election shall require. If, in counting, two or more like ballots shall be found folded together compactly, only one shall be counted, and the others destroyed; but, if they bear different names, the same shall be destroyed, and not counted. If more ballots shall be found, on opening the box, than there are names on the poll list, all the ballots shall be returned to the box and thoroughly mixed together, and one of the Managers, or the Clerk, shall, without seeing the ballots, draw therefrom, and immediately destroy, as many ballots as there are in excess of the number of names on the poll list. Within three days thereafter, the Chairman of the Board of Managers, or one of them, to be designated in writing by the Board, shall deliver to the Commissioners of Election the poll list, the boxes containing the ballots, and a written statement of the result of the election in his precinct.

Manner
of counting
votes.Managers to
deliver box,
poll list, &c.,
to Commis-
sioners.

SEC. 4. After the final adjournment of the Board of County Canvassers, and within the time prescribed in this Act, the Chairman of said Board shall forward, addressed to the Governor and Secretary of State, by a messenger, the returns, poll list, and all papers appertaining to the election. The said messenger to be paid his actual expenses upon a certificate to be furnished him by the Secretary of State. Said certificate shall be paid out of the funds provided for the payment of Commissioners and Managers of Election.

Returns, &c.,
to be sent by
messenger.Payment of
messenger.

SEC. 6. All Acts or parts of Acts in any way conflicting with this Act are hereby repealed.

Approved March 12, 1872.

A. D. 1872.

No. 131.

AN ACT TO INCORPORATE THE SOUTH CAROLINA AGRICULTURAL COLLEGE AND MECHANICS' INSTITUTE.

Agricultural
College estab-
lished.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a College and Institute of Mechanical Arts be established at Orangeburg, in connection with the Claflin University, to be called the South Carolina Agricultural College and Mechanics' Institute, in accordance with the provisions of the Act of Congress, passed July 2, 1862, and all Acts amendatory thereto. The design of the Institution shall be to afford instruction in practical and theoretical agriculture, mechanical art and military tactics and training.

Trustees,
election of.

SEC. 2. That the supervision and control of the institution aforesaid shall be vested in a Board of Trustees, in connection with the Board of Trustees of the Claflin University, to be known by the name, style, and title of the Board of Trustees of the South Carolina Agricultural College and Mechanics' Institute; said Board shall consist of nine (9) members, and shall be chosen by joint ballot of the General Assembly: *Provided*, That the first Board of Trustees shall be appointed by the Governor, as follows: The first three shall be elected for a term of three (3) years; the second three for two (2) years; and the third three for one (1) year; and the General Assembly shall, annually thereafter, elect, by joint ballot, three (3) members of each Board, whose term of office shall be three (3) years; said Board may elect its own Chairman. The Trustees thus appointed and elected shall, in connection with those of the Claflin University, constitute one Board, and may elect a Chairman. A majority of the Board shall constitute a quorum for the transaction of business. They shall receive no compensation, but shall be paid their traveling and other expenses while employed on the business of the Board.

Term of of-
fice.Shall re-
ceive no com-
pensation.General pow-
ers.

SEC. 3. The said Board of Trustees shall be a body corporate, capable in law of suing and being sued, holding and selling real, personal and mixed property, of contracting and being contracted with, of having and using a corporate seal, and of causing all things to be done to carry out the purposes of this Act.

Vacancies,
how filled.

SEC. 4. Should any vacancy occur in said Board of Trustees, it shall be filled by the remaining members of the Board.

Organization.

SEC. 5. It shall be the duty of the Board of Trustees to meet and organize, within thirty days after the passage of this Act, at the call of the Governor of the State, or of any two members of the Board.

SEC. 6. The Legislature shall appoint a Board of Visitors biennially, who shall report each year upon the condition and efficiency of this Institution.

A. D. 1872.

Board of
Visitors.

SEC. 7. The Board of Trustees shall appoint a Secretary and Treasurer, neither of whom shall be a member of said Board. These officers shall be required to give such bond as will secure a safe administration of their duties. The Secretary shall also fill the office of general Superintendent of this Institution, upon whom shall devolve a power of general administration over all the property of this corporation, for its better perservation and improvement, and who shall also have the power, at any time, to call a meeting of the Board of Trustees: *Provided*, That no power herein granted to the Secretary shall extend to making any material changes, except with the concurrence and authority of the Board of Trustees. The salaries of these officers shall be determined by the Board.

Secretary
and Treasurer,
powers
and duties of.

SEC. 8. Whenever the Board of Trustees report that they are organized, and prepared for action, the Governor shall execute a draft on the State Treasury for the amount of interest due on the fund invested under the provisions of the Act of Congress, and which shall be under their entire and exclusive control, as likewise shall all interest afterwards accruing from said fund. They shall, also, have full control of all moneys donated, appropriations, lands or property whatsoever, coming into the possession of this corporation.

Governor to
execute dra t
for amount of
interest due
on fund.Said funds
and all others
under their
exclusive con-
trol.

SEC. 9. The Secretary shall reside on the grounds of the institution, and besides exercising a general supervision over all the property under his care, shall keep a complete system of records. He shall open correspondence with societies for the promotion of agriculture, and make use of such means to elicit information upon all industrial topics as shall be conducive to the material welfare of the College. He shall seek to obtain such contributions for the museums and library of said College as shall benefit the interest of agriculture and other industrial arts and sciences. He shall also keep a correct account of all the proceedings of the Board, and an accurate account of all the moneys received in the Treasury, as well as those paid out. The Secretary shall report to the Legislature at every regular session, which shall embrace all such statements, accounts, statistics, essays, and other information relative to agriculture, as may be valuable, and, also, the proceedings of the Board of Trustees of said College, to be approved by said Board.

Special du-
ties of secre-
tary.Shall annual-
ly rep rt to
Legislature.

SEC. 10. The Board of Trustees shall procure a site for an experimental farm, of such size as they may deem necessary, to be located as near as practicable to the present location of the Claflin University, so as to combine, as much as possible, practical training with theoretical instruction in the science and art of agriculture. To carry

Trustees to
secure site for
experimental
farm.

A. D. 1872.

out the foregoing provision, the Board are authorized to expend a sum not to exceed one-tenth of the amount of the fund to which this State is entitled under the Act of Congress.

Admission
of students.

SEC. 11. Students shall be admitted into said College from each County, after a competitive examination among the scholars belonging to the public schools in such County, in proportion to the number of the representation in the Legislature. The time and manner of conducting said competitive examinations to be regulated by the Board of Trustees: *Provided*, That no Student shall be allowed to enter the College whose qualification is below the standard of the class to which he shall be assigned. Provision shall, also, be made for receiving Students from any school, or other source, whose qualification shall fit them for entering the classes to which admission is sought. Special Students who wish to pursue any particular branch, but who do not desire any degree, may be admitted to study under such terms as the Board shall regulate.

Course of
instruction.

SEC. 12. The course of instruction shall include the English language and literature, mathematics, civil, mechanical and military engineering, agricultural chemistry, mineralogy, animal and vegetable anatomy, and physiology, veterinary art, entomology, geology, political, rural and household economy, horticulture, moral and natural philosophy, history, book-keeping, military training and tactics, and especially the application of science and the mechanical arts to practical agriculture in the field.

College un-
sectarian.

SEC. 13. That the College shall not be controlled to serve sectarian or political party interests, but shall be conducted for the promotion of the general good of the State, as provided for in this Act and the Act of Congress of which this forms a part.

Current
expenditures
provided for.

SEC. 14. For the current expenditures of said College, certain sums of money shall be set aside in the hands of the Treasurer by the Board of Trustees, which shall be subject to the warrants of the Chairman of the Board, drawn in pursuance of the orders of the Board of Trustees. All incomes resulting from labor, or other sources, shall be paid into the Treasury of the College. All moneys due to the Institution, or received in its behalf, shall be collected and received by the Secretary, and deposited by him with the Treasurer of the State Board of Trustees, taking his receipt therefor. The Secretary shall, with his annual report, render a full and complete account of all moneys received, and all warrants drawn on the Treasurer by him as Secretary of the Board, and shall file and preserve all vouchers, receipts, correspondence, and other papers relating thereto.

Financial
report.

SEC. 15. The College shall have no connection whatever with, A. D. 1872.
nor be in any way controlled by, a sectarian denomination.

Approved March 12, 1872.

AN ACT TO ESTABLISH A PUBLIC FERRY IN FAIRFIELD No. 132.
COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry commonly known as "Rocky Mount Ferry," across the Catawba River, in Fairfield County, shall be, and the same is hereby, established a public ferry, and vested in James Johnson, his heirs, executors and assigns, until repealed, with the privilege of collecting the following rates of toll, to wit: For each wagon drawn by four horses, mules or oxen, seventy-five cents; for each wagon drawn by three horses, mules or oxen, sixty-five cents; for each wagon drawn by two horses, mules or oxen, fifty cents; for each wagon, carriage or buggy drawn by one horse, mule or ox, twenty-five cents; for each man on horseback, ten cents; for each foot passenger, five cents: *Provided*, That children going to and returning from school, and voters going to and returning from the polls on election day, shall be passed free.

Ferry vested
in Jas. John-
son.

Rates of toll.

Proviso.

Approved March 12, 1872.

AN ACT AUTHORIZING JAMES C. THOMPSON AND WIFE, No. 133.
ELIZABETH THOMPSON, TO ADOPT THE CHILD OF MARY
COUCH, GIVE IT THE NAME OF JAMES LAWRENCE ORR
THOMPSON, AND MAKE IT HIS LAWFUL HEIR.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James C. Thompson and his wife, Elizabeth Thompson, be, and they are hereby, authorized and empowered to adopt the child of Mary Couch, to give it the name of James Lawrence Orr Thompson, and to make it their lawful heir.

Permitted
to adopt child
of Mary Couch

Approved March 12, 1872.

A. D. 1872.

No. 134.

AN ACT TO AUTHORIZE THE FORMATION OF, AND TO INCORPORATE, THE SPARTANBURG AND AIKEN RAILROAD.

Whereas it is desirable that there should be a connection by railroad between the town of Aiken and the town of Edgefield, the village of Ninety-Six, and the towns of Laurens and Spartanburg, in this State; therefore,

Objects of corporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized, for the purpose of constructing a railroad to connect the town of Aiken, the town of Edgefield, the village of Ninety-Six, the town of Laurens, and the town of Spartanburg, with the privilege of extending the same to the town of Hamburg, in such manner as may be determined by said company.

Books of subscription, under whose direction.

SEC. 2. That for the purpose of raising the capital stock of said company, it shall be lawful to open books at the town of Spartanburg, under the direction of G. Cannon, J. H. Evans, Alfred Tollison, D. R. Duncan, S. Bobo and Joseph Walker; at the town of Laurens, under Y. J. P. Owens, J. W. Fowler, Joseph Crews, Dr. John Henry and H. L. McGowan; at the village of Ninety-Six, under Thos. Talbert, Dr. W. A. Limbecker, J. A. Stuart, Thomas Lake, Augustus Griffin and P. R. Rivers; at the town of Edgefield, under Lawrence Cain, M. L. Bonham, William T. Gary, A. J. Norris, Dr. John A. Barker and Parris Simpkins; at the village of Aiken, under J. N. Hayne, E. J. C. Wood, R. B. Elliott, C. D. Hayne, E. Ferguson, J. S. Shuck, P. G. Rockwell and Henry Sparnick; in the city of Augusta, under John J. Cohen, James A. Gray, Josiah Sibley, Charles W. Harris, Dr. J. A. Miller; and at such other places in the Counties of Spartanburg, Laurens, Abbeville, Edgefield and Aiken, and under the direction of such other person as the Commissioners in the respective Counties herein above named may designate, for the purpose of securing subscriptions to an amount not exceeding two million five hundred thousand dollars, in shares of one hundred dollars each, to constitute a joint capital stock, for the purpose of constructing and carrying into operation the said railroad, and, on each share of individual stock, the subscriber shall pay to the Commissioners, who shall be authorized to take the same, the sum of five dollars, lawful money of the United States.

Capital stock.

When may meet to organize.

SEC. 3. That when the sum of one hundred thousand dollars shall have been subscribed, in the manner before specified, the subscribers shall be, and they are hereby, declared a body corporate, to be known by the name and style of the "Spartanburg and Aiken

Railroad Company," and may meet and organize said company, at such time and place as may be designated by the Commissioners for the town of Spartanburg, hereinbefore named.

A. D. 1872.

SEC. 4. That, for the purpose of organizing said company, all such powers as are conferred by the charter of the Greenville and Columbia Railroad Company, and the Commissioners at Greenville, shall be, and are hereby, conferred upon the Commissioners herein appointed at the town of Spartanburg; and all the powers, rights and privileges granted by the said charter and its amendments to the "Greenville and Columbia Railroad Company," shall be, and they are hereby, granted to the "Spartanburg and Aiken Railroad Company," and subject to like restrictions as are therein contained, except as to the capital stock, the sum necessary to authorize the organization, and the amount of shares, except so far as may be necessary to conform to the special provisions of this Act: *Provided, however,* That nothing herein contained shall be so construed as to bind the State to subscribe stock in said company, or make any appropriations to enable the said company to build said road; or in any manner to loan the credit of the State thereto: *Provided, further,* That nothing herein contained shall be so construed as to exempt the said company from the provisions of Section 1 of Chapter 43 of the General Statutes.

Entitled to privileges, &c., conferred on Greenville and Columbia Railroad.

SEC. 5. That said company is authorized to receive subscription to its capital stock in lands or labor, as may be agreed upon between said company and said subscribers; and may acquire by grant, purchase, lease or otherwise, any estate, real or personal, whatsoever, and the same to hold, use, sell, convey and dispose of as the interest of said company may require.

Subscriptions may be received in land or labor.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE GOWENSVILLE LODGE, No. 107, No. 135.
ANCIENT FREE MASONS, OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the officers and members that now are, or hereafter may be, their associates and successors, shall be known in law under the name and style of the Gowensville Lodge, No. 107, Ancient Free Masons, of the State of South Carolina, and, under their corporate capacity, to hold any personal or real estate, and to sell or dispose of the same at plea-

Corporators.

Title.

Powers and privileges.

A. D. 1872.

sure; to sue and be sued, plead and be impleaded; that they may enjoy all the rights and privileges as granted to such like corporations by law, with liberty to have a common seal, and alter the same at will; to enact such rules and by-laws, for the government of their order, not repugnant to the laws of the land.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved March 12, 1872.

No. 136. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE WACCAMAW AND LITTLE RIVER CANAL COMPANY."

When may
commence
business.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the Waccamaw and Little River Canal Company," be, and is hereby, amended as follows: Strike out, on the fourth line, in Section 3, all after "as," and insert, in lieu thereof, "That said company may commence business as soon as fifty per cent. of its capital stock is subscribed, and ten per cent. of the same is paid up."

Right to use
canal wa-
ters, lands,
&c.

SEC. 2. Add to Section 6: "That the said company shall have the right to use or dispose of such portion of its waters, lands or other property, as it may see fit, for manufacturing, hydraulic, or other purposes."

Approved March 12, 1872.

No. 137. AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF PENDLETON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now reside, or may hereafter reside, in the village of Pendleton, shall be deemed, and are hereby declared, a body corporate and politic; and the said village shall

be called and known by the name of Pendleton ; and its limits shall be held and deemed to extend for one mile in every direction from the Farmers' Hall.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be elected on the fourth Monday in September, and continue in office until the second Monday in September next, or until their successors are qualified, on which day, as well as on the second Monday in September of every year thereafter, an election shall be held for an Intendant and four Wardens, at such place as the Intendant and Wardens shall designate, thirty days' notice being previously given ; and that all male inhabitants of the said village, who have attained the age of twenty-one years, and have resided therein three months previous to the election, shall be entitled to vote for the said Intendant and Wardens ; the election to be held from ten o'clock in the morning until two o'clock in the afternoon ; and when the polls shall be closed the Managers shall count the ballots, and proclaim the election, and give notice thereof, in writing, to the persons elected ; and that the Intendant and Wardens, for the time being, shall always appoint three Managers to hold the ensuing election ; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to wit : " As Intendant (or Warden) of Pendleton, I will support and defend the Constitution of the United States, and this State, and equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purpose of my appointment : So help me God."

SEC. 3. That, in case a vacancy shall occur in the office of Intendant or Wardens, by death, resignation, removal from office, or absence from the State, an election shall be held by the appointment of the Intendant and Wardens, as the case may be, thirty days' previous notice being given ; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during the time.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices of this State, within the limits of the said village, except in trials of civil cases ; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Pendleton ; and they and their successors in office shall have a common seal, and shall have

A. D. 1872.

Limits.

Officers.

Election.

Electors.

Managers.

Oath of office.

Vacancies.

Judicial powers.

General powers.

A. D. 1872.

Constables.

power and authority to appoint, from time to time, such and so many proper persons to act as Constables, as they shall deem expedient and proper, which Constables shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances, respecting the streets, ways, market and police of such village, as shall appear to them proper for the security, welfare and convenience of the village, and for preserving health, peace, order and good government within the same; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate them to the use of the corporation; but no fine shall exceed twenty dollars; and when fines shall exceed ten dollars, they may be recovered in the Court of Sessions for Anderson County; and when they are of the amount of ten dollars, or under, they may be recovered before the Intendant and Wardens: *Provided*, Nothing herein contained shall empower the said corporation to ordain or establish any by-laws or ordinances inconsistent with, or repugnant to, the laws of this State; and all such by-laws and ordinances shall, at all times, be subject to the revival or repeal of the Legislature.

Police regulations.

Fines.

Nuisances.

SEC. 5. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits, and to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as often as occasion may require, and to enforce the performance thereof, under the same penalties as are now or may be hereafter established by law; and that the said Intendant and Wardens, or any of them, upon view thereof, or upon complaint lodged, on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before them, or him; and, upon an examination, shall either release, admit to bail, if the offense be bailable, or commit to jail, such offenders, as the case may require; and the Sheriff of Anderson County is hereby required to receive and keep the person so committed until discharged by due course of law. And that the said Intendant and Wardens shall, collectively and severally, have cognizance, within the said corporate limits, in all criminal cases, as Justices of the Peace and Quorum have according to law.

Licenses.

SEC. 6. That the Intendant and Wardens of the said town shall have full and only power to grant or refuse license to retail spirituous liquors within the said limits, which license shall be granted in the same manner, and upon the same conditions, as they are now, or may hereafter be, under the laws of this State, except that the

Town Council shall have power to regulate the price of license to keep taverns and to retail spirituous liquors: *Provided*, That in no instance the price of a license so to keep tavern or retail spirituous liquors shall be fixed at a less sum than is established by the laws of the State; and all the powers formerly vested in the Commissioners of Roads are hereby granted to the said Intendant and Wardens within the said limits; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits without license, shall be appropriated to the use of said corporation.

A. D. 1872.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said roads, streets and alleys, to release such persons as may desire it, upon a fair equivalent therefor, to be applied by them to the use of the said corporation; and no person residing within the said limits shall be liable to work on any road without said limits, or to be taxed or assessed for the same.

Road duty.

SEC. 8. That the Town Council of Pendleton shall have power to impose an annual tax upon the keepers of billiard tables and ten-pin alleys, or any other pin alleys, within the discretion of said Council, and to grant or refuse license for the same, upon such terms and conditions, and subject to such regulations, as they may by ordinances establish. They shall also have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all public drays, wagons, carriages, omnibuses, and other vehicles kept for hire, and on the owner or possessor of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of said town. The said Town Council shall have power to impose an annual tax on the amount of all sales of goods, wares, merchandise, and also on the amount of income arising from all factorage and mechanical employments, faculties and professions, including the profession of dentistry: *Provided*, That no tax shall be imposed in any one year to exceed the rate of twenty cents on each hundred dollars of the value of such sales and income; and the said Town Council shall also have power to impose a tax upon all persons who shall open any room or car for the purpose of taking daguerreotypes or other likenesses, within the corporate limits of said town; and the said Town Council shall have the power to impose an annual tax, not exceeding twenty cents on every hundred dollars of the value of all real estate lying within the corporate limits of said town, the real estate of churches and school associations excepted; and for that purpose they shall appoint three freeholders, resident therein, to assess the value of said real estate, upon oath, and return the

Annual taxation.

A. D. 1872.

assessment, within one month, to said Council, for taxation, and to fill any vacancy occasioned by the death, resignation, refusal to serve, or removal from office of the said Assessors; and any person who shall refuse to act as Assessor, upon being appointed by the Council, may be fined any sum not exceeding twenty dollars; and the said Council shall have power to regulate the price of license upon all public shows and exhibitions in said town; and to erect a powder magazine, and to compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and delivering the same; and the said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property and persons of defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person specially appointed by the said Town Council to collect the same; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment of same in preference to other debts due by the persons owning such property at the time of the assessment, except debts due the State, which shall be first paid; that the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town, as they may deem necessary, by sale of the freehold therein, either at public or private sale, as they adjudge best for the interest of the said town; and they shall have power to lay out, adopt, open and keep in repair all such new streets, roads and ways, from time to time, as they may deem important or necessary for the improvement of said town: *Provided*, That no new street, road or way, shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

Executions.

New streets.

SEC. 9. That this Act shall be taken and deemed as a public Act in all Courts of Justice, and shall continue in force until repealed.

Approved March 12, 1872.

No. 138. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF MOUNT PLEASANT."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said

Town Council shall have power to borrow money for the public use of the corporation, by issuing, from time to time, as occasion may require, the bonds of said corporation, bearing interest at a rate not to exceed ten per centum per annum, to be paid semi-annually, for an amount not to exceed the sum of two thousand dollars; and for the payment of the interest, and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall, at all times, be liable: *Provided*, That the private property of the inhabitants of said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax, according to the provisions of this Act.

A. D. 1872.
Bonds, issue
of, provided
for.

Proviso.

SEC. 2. That the corporate limits of the town of Mount Pleasant be, and the same is hereby, extended by continuing the eastern line of Boundary Street northwardly to Shem Creek, from which point the said creek and the waters of Charleston harbor shall be the boundary.

Limits ex-
tended.

SEC. 3. That the Town Council of Mount Pleasant shall have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed in any one year to exceed the rate of fifty cents on each hundred dollars of such assessed property; and that the money, so raised, shall be applied to the use of the said town. The said Town Council shall have the power to enforce the payment of all taxes, levied by the said Town Council, to the same extent, and in the same manner, as is now, or hereafter shall be, provided by law for the collection of the general State taxes.

Annual tax.

Executions.

SEC. 4. All Acts and parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

Approved March 12, 1872.

AN ACT LEGALIZING CERTAIN MARRIAGES, AND FOR OTHER PURPOSES THEREIN MENTIONED.

No. 139.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons in the State of South Carolina who, previous to their actual emancipation, had undertaken and agreed to occupy the relation to each other of husband and wife, and are cohabiting as such, or in any way recognizing the relation as still existing at the time of the passage of this Act, whether the rites of marriage have been cele-

Conferring
on certain
persons the
rights and
privileges of
marriage.

A. D. 1872.

brated or not, shall be deemed husband and wife, and be entitled to all the rights and privileges, and be subject to all the duties and obligations of that relation, in like manner as if they had been duly married according to law.

Legitimati-
zing certain
children.

SEC. 2. And all of their children shall be deemed legitimate, whether born before or after the passage of this Act; and when the parties have ceased to cohabit before the passage of this Act, in consequence of the death of the woman, or from other cause, all of the children of the woman recognized by the man to be his shall be deemed legitimate: *Provided, however,* That no provision of this Act shall

Proviso.

be deemed to extend to persons who have agreed to live in concubinage after their emancipation.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 12, 1872.

No. 140. AN ACT TO INCORPORATE THE REEDY RIVER BAPTIST CHURCH,
OF GREENVILLE COUNTY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. W. Roe, Stephen Marchbanks, Barnet Hawkins, and their associates and successors, are hereby made a body corporate and politic, under the name and style of the "Reedy River Baptist Church, of Greenville County," with all the powers and privileges vested in such like corporations by law; to sue and be sued, plead and be impleaded, in their corporate capacity; to have a common seal, and alter the same at will; to enact such rules and by-laws, for the government of their body, not repugnant to the laws of the land.

Title.

Powers and
privileges.

SEC. 2. This Act to be deemed a public Act, and continue in force until repealed.

Approved March 12, 1872.

No. 141. AN ACT TO INCORPORATE THE LANCASTER RIFLEMEN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. W. Cour-

sart, F. A. Clinton, A. Hutson, C. L. Jones, Randall H. Sapps, Wm. McKenna, J. F. G. Mittag and John Q. Cousart, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Lancaster Rifle-men.

A. D. 1872.

Title.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members, according to their election; and to keep and use a common seal, and the same to alter at will; to sue and be sued in any Court of this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Powers and privileges.

SEC. 3. That the said corporation may, from time to time, invest the moneys, assets, or any property which it may acquire, in such real or personal property, lands, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

Investment of funds, &c.

SEC. 4. That this Act shall continue in force during fifteen (15) years, and may be given in evidence without being specially pleaded.

Approved March 12, 1872.

AN ACT TO RE-OPEN A PUBLIC HIGHWAY IN RICHLAND COUNTY. No. 142.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Richland be, and they are hereby, authorized to cause to be re-opened the old Gadsden Road, commencing at a point near Jones' Crossing, on the McCord's Ferry Road, and ending at the Gadsden Depot, on the South Carolina Railroad.

Gadsden Road re-opened.

Approved March 12, 1872.

A. D. 1872. AN ACT TO INCORPORATE THE RIVERS GUARDS, OF HAMBURG,
SOUTH CAROLINA.

No. 143. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Williams, Lewis Cartledge, Cato McGraw, James Coleman, and their successors and associates, are hereby incorporated and made and declared a body politic and corporate, in deed and in law, by the name and style of the "Rivers Guards," of Hamburg, South Carolina; and, as such body politic and corporate, shall have power to make, use, have and keep a common seal, and the same at will to alter; to make all necessary by-laws, not repugnant to the Constitution and laws of this State; and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

Corporators.
Corporate name.
Powers and privileges.

SEC. 2. This Act shall be deemed and taken to be a public Act, and shall continue in force, from and after its passage, for the space of ninety-nine years.

Approved March 12, 1872.

No. 144. AN ACT TO PROVIDE FOR A UNIFORM SYSTEM OF SCHOOL RECORDS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Superintendent of Education of the State of South Carolina be, and he is hereby, authorized to prepare and cause to be published and distributed a complete and uniform system of school records and blank forms, for the use of the officers and teachers of the free common schools of this State.

Uniform system of school records to be published and distributed.

SEC. 2. That, for the purpose of carrying out the provisions of Section 1 of this Act, the sum of seven thousand (7,000) dollars be, and the same is hereby, appropriated: *Provided*, That the same shall only be paid out on the order of the State Superintendent of Education: *And provided, further*, That no part of the said appropriation shall be used for any other purpose than is specified in this Act.

\$7,000 appropriated to pay for same.

SEC. 3. That this Act shall take effect immediately after its passage.

A. D. 1872.

Approved March 13, 1872.

AN ACT TO ESTABLISH AN INFERIOR COURT FOR THE TRIAL OF
CRIMINAL CASES IN THE COUNTY OF CHARLESTON.

No. 145.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be established in the County of Charleston an Inferior Court for the trial of criminal cases, to be called the Criminal Court of Charleston County, and which shall be organized by the Judge thereof, immediately after his election.

Criminal
Court estab-
lished.

SEC. 2. The Clerk of the Court of Common Pleas and General Sessions, and the Sheriff of the County, shall, respectively, be the Clerk and the Sheriff of the Criminal Court, and may act in person or by deputy. All prosecutions shall be conducted by the Attorney General or the Solicitor of the Circuit to which the County of Charleston may be attached. These officers shall receive the same fees as are now provided by law, and the Judge of the Criminal Court shall approve their bills for services rendered in the said Court in the same manner, and in like cases, as Judges of the Circuit Courts are now required by law.

Clerk and
Sheriff of the
Court of Com-
mon Pleas
to be Clerk
and Sheriff of
said Court.

Fees.

SEC. 3. The Judge of the Criminal Court, herein provided for, shall be elected by the General Assembly, at the present session, and immediately after the passage of this Act he shall qualify, in the same manner as the Circuit Judges, and shall hold his office for the term of four years, and until his successor is elected and qualified. He shall receive, from the Treasury of the State, a salary of two thousand five hundred dollars, payable in the same manner as the salary of Circuit Judges. He shall have power to practice as an attorney in all other Courts, except the Criminal Court.

Judge of
said Court—
election, qua-
lification,
term of office,
and compen-
sation of.

SEC. 4. The Criminal Court shall have exclusive appellate jurisdiction of all criminal causes from the Courts of Trial Justices for Charleston County, and exclusive original jurisdiction of all criminal causes less than capital, and not at present conferred by law upon the Courts of Trial Justices. In these cases, the same laws, fees, powers and practice shall prevail in the Criminal Court as in the Court of General Sessions, and the juries shall be drawn and empaneled in the same manner as is provided by law for the Court

Jurisdiction.

Drawing and
empanneling
of Juries.

A. D. 1872.

of General Sessions: *Provided*, That the grand juries drawn for the Court of General Sessions shall also be the grand juries in the Criminal Court.

Jurisdiction
in reference
to defaulting
jurors, con-
tempt, &c.

SEC. 5. The Criminal Court shall have the same power and jurisdiction as the Court of General Sessions in reference to defaulting jurors, estreating, recognizances taken in all causes within its jurisdiction, and punishing for contempt, and may issue rules, orders and attachments in the same manner and in like cases as the Court of General Sessions. The Judge of the Criminal Court shall *ex officio* have all the powers of a Trial Justice.

May execute
provisions of
Habeas Cor-
pus Act.

SEC. 6. That the Judge of the Criminal Court shall have power to execute the provisions of the *habeas corpus* Act, and shall also exercise jurisdiction under *habeas corpus* at Common Law, in all cases arising within the County of Charleston: *Provided*, That during the session of the Court of General Sessions for the said County, he shall exercise no Common Law jurisdiction under *habeas corpus*.

The Criminal
Court a
Court of Re-
cord.

SEC. 7. The Criminal Court shall be a Court of Record. It shall ordinarily sit in the Court Room of the County Court House, and when the Court House may be occupied by the Circuit Court, a suitable place near by shall be provided for its sittings by the County Commissioners. In case of an epidemic disease prevailing at the Court House, or for any other good cause, in the discretion of the Judge, he may adjourn the Court over to a future day, or to some other place in the County; and witnesses, jurors and all persons concerned, having due notice thereof, shall attend at such time or place.

Place of meet-
ing

Adjournment

Four regu-
lar terms of
Court each
year.

SEC. 8. The Criminal Court shall hold four regular terms each year, on the first Monday of January, April, July and October, each term to be continued so long as business may require, and, if necessary, to be adjourned, from time to time, in the discretion of the Judge. The Judge shall also have power to hold special sessions at any time, in his discretion, and all processes issued and recognizances taken for the next regular term shall be held to refer to such special term, due notice having been given, by publication in one or more of the newspapers of the County, at least ten days before the commencement of such special session.

Special Ses-
sions.

Appeals.

SEC. 9. Appeals from the Criminal Courts shall lie to the Supreme Court in all cases within the jurisdiction of the Criminal Court, in like manner as is provided by law for appeals from the Circuit Court.

Judge, im-
mediately af-
ter his elec-
tion, to order
a special term

SEC. 10. The Judge of the Criminal Court shall, immediately after his election, order a special term of the Court herein constituted to be held within ten days after the publication of such or-

der; all cases less than capital now on the dockets of the Court of General Sessions shall be transferred to the dockets of the Criminal Court at the special term provided for in this Section.

A. D. 1872.
Transfer of
certain cases
to said Court.

SEC. 11. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE DAMASCUS BAPTIST CHURCH, IN SUMTER COUNTY, SOUTH CAROLINA. No. 146.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said Society be, and they are hereby declared to be, a body corporate, by the name and style of the "Damascus Baptist Church," and by that name and style shall have succession of officers and members, and shall have a common seal.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, may sue and be sued, in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

Powers and
privileges.

SEC. 3. This Act shall be deemed and taken to be a public Act, and shall continue in force for the term of ninety-nine years.

Approved March 13, 1872.

AN ACT TO ABOLISH THE OFFICE OF STATE AUDITOR, AND CONFER THE DUTIES OF HIS OFFICE UPON THE COMPTROLLER GENERAL. No. 147.

Whereas, a multiplicity of offices should be avoided by the State, as well as unnecessary expenditures in keeping them up; and, whereas, the duties of State Auditor can be performed by the Comptroller General without detriment to the requirements of his office; therefore,

Preamble.

A. D. 1872.

Office of State
Auditor abol-
ished.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the office of the State Auditor be, and it is hereby, abolished, and the duties hitherto devolving upon that officer shall be performed by the Comptroller General.

Act to take
effect after
general elec-
tion.

SEC. 2. That this Act shall take effect on and after the general election in October, 1872, at which time the State Auditor shall turn over all books, papers and accounts of his office to the Comptroller General.

Approved March 13, 1872.

No. 148. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REVISE, SIMPLIFY AND ABRIDGE THE RULES, PRACTICE, PLEADINGS AND FORMS OF THE COURTS OF THIS STATE."

Clerk of Court
et al., entitled
to receive cer-
tain compen-
sation from
plaintiff.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts of this State," be, and is hereby, amended as follows, viz: Insert, in Section 330, at the close of sub-division 4 of said Section of said Act, the following words: "And in any civil action under this Code, Clerks of the Courts, Trial Justices and Sheriffs shall be entitled to demand and receive of the plaintiff in any such action, in advance, the same compensation as is allowed by law."

Approved March 13, 1872.

No. 149. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT FOR THE BETTER PROTECTION OF MIGRATORY FISH.'"

Close time
in creeks and
streams of the
State.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act for the better protection of migratory fish,' " be, and is hereby, amended

so as to read as follows: "There shall be a close time in all the creeks, streams and inland waters of this State, from the setting of the sun each Friday until the rising of the sun on each Tuesday, during which time all seines, nets or any plan or device for the stoppage or collecting of fish, which obstruct more than two-thirds of any stream, other than a dam for manufacturing purposes, shall be removed from said creeks, streams or waters, and the owner, in whole or in part, of any such obstruction, plan or device, shall be liable to a fine of two hundred dollars for each and every offense, one-half to go to the informer, and the other half to the use of the County in which such obstruction is found.

A. D. 1872.

Penalty for violation.

SEC. 2. This Act shall take effect on and after its passage.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE CHARLESTON LAND AND JOINT STOCK COMPANY. No. 150.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. Simons, Thomas Mathews, L. F. Campbell, Samuel Porcher and Wm. Fields, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared a body politic and corporate, by the name and style of the Charleston Land and Joint Stock Company.

Corporators.

Corporate name.

SEC. 2. That the association aforesaid shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court in this State; it is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled to, or which hereafter may be purchased or in any way acquired by it, and to sell, alien or transfer the same.

General powers.

May hold and dispose of property.

SEC. 3. That this Act shall be deemed a public Act, and continue in force for the term of fourteen years.

Approved March 13, 1872.

A. D. 1872.

AN ACT TO INCORPORATE THE SOUTH CAROLINA REAL ESTATE AND JOINT STOCK COMPANY.

No. 151.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That R. A. Sisson, Lewis Heyward, Washington Ash, Lewis Wilson, P. B. Lusk, Lewis Carr, Robert L. Jones, M. D. Stone, Edwin Marks, Henry Johnson, J. H. Snyder, T. Sands, A. Boldgood, together with such persons who now are, or may be hereafter, associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of the South Carolina Real Estate and Joint Stock Company," for the purpose of loaning out money on interest, purchasing and mortgaging real estate, buying and selling or otherwise disposing of personal property; and they shall have the same rights and privileges now enjoyed by banking corporations of this State; they shall also have undisputed right to dispose of any and all such property, real, personal or mixed, that they may become possessed of, in any manner, and on such conditions as the said association, for their own interest, may deem fit and proper.

SEC. 2. That the capital stock of said company shall consist of two thousand shares, to be paid in by successive monthly installments of one dollar on each share, or in such manner as their constitution and by-laws may hereafter provide for; and such shares shall be held, transferred or assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payment, as may hereafter be provided.

SEC. 3. That said company shall have power and authority to make any such rules and by-laws for its government; and shall have such members and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made, or to be made, by them; shall have and keep a common seal, and may alter the same at will; and shall have and enjoy every right and privilege incident and belonging to corporate bodies; and the said company shall, and is hereby, authorized to begin business in any County in this State, and to establish agencies at any points that may be deemed advantageous to the interest and benefit of the said company.

SEC. 4. That all the rights conferred upon this company, as provided for in the preceding Sections, shall be exclusive in this State, and all Acts conflicting are hereby repealed, and the company hereby incorporated shall not be subject to any laws that may hereafter be enacted.

SEC. 5. That this Act shall be taken and deemed a public Act, and shall continue in force for the term of twenty-five years. A.D. 1872.

SEC. 6. That this Act shall be of force immediately on and after its passage.

Approved March 13, 1872.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO CREATE A DEBT OF THE STATE OF SOUTH CAROLINA, TO BE KNOWN AS THE STERLING FUNDED DEBT, THE SAME, OR THE PROCEEDS THEREOF, TO BE EXCLUSIVELY USED IN EXCHANGE FOR, OR IN PAYMENT OF, THE EXISTING PUBLIC DEBT OF SAID STATE." No. 152.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act passed by this General Assembly, approved March 7, 1871, entitled "An Act to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for, or in payment of, the existing public debt of said State," be, and the same is hereby, repealed, as to each and all of its provisions.

Act creating
sterling fund-
ed debt re-
pealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SUMTER ACADEMICAL SOCIETY. No. 153.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Franklin J. Moses, Jr., Samuel Lee, T. B. Johnson, A. L. Singleton, J. N. Corbett, W. J. Andrews, together with such other person or persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The Sumter Academical Society," with power to sue and be sued, to plead and be impleaded, to possess and hold, subject to former grants, escheated and other property within the County of Sumter, to an amount not exceeding twenty thousand dollars.

Corporators.

Title.

Powers.

A. D. 1872.

Certain property vested in incorporators.

SEC. 2. That all property heretofore vested in the Trustees of "The Sumter Academical Society," incorporated by an Act entitled "An Act to incorporate certain companies and societies," passed on the twentieth day of December, A. D. 1837, be, and the same is hereby, vested in the incorporators named in this Act, and such incorporators shall be deemed and held in law to be the proper and legal successors of such former Trustees.

Authorized to exchange certain lot.

SEC. 3. That the corporators of the said Sumter Academical Society, named in the first Section of this Act, be, and they are hereby, authorized and empowered, for the benefit of the Society herein incorporated, and for no other purpose, to exchange the lot of land which was conveyed by the late J. B. Miller to certain Trustees for educational purposes, of whom F. J. Moses, Sr., is the survivor:

Conditions of said exchange.

Provided, That the condition of the exchange shall be, that a lot of the same size, within the corporate limits of the town of Sumter, shall be given, and a frame house, of equal capacity of the academy lately destroyed by fire, completely furnished with desks and seats, shall be erected thereon, subject to the acceptance of the aforementioned corporators.

SEC. 4. This Act to be deemed a public Act, and to remain in full force until repealed.

Approved March 13, 1872.

No. 154. AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO REVISE, SIMPLIFY AND ABRIDGE THE RULES, PRACTICE, PLEADINGS AND FORMS OF COURTS IN THIS STATE."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 310 of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," approved the first day of March, A. D. 1870, be, and the same is hereby, altered and amended by striking out therefrom the words "or by a referee appointed by the Court for that purpose," and the word "referee" immediately thereafter.

Word "referee" stricken out.

Approved March 13, 1872.

AN ACT TO PROVIDE FOR A GENERAL LICENSE LAW.

A. D. 1872.

No. 155.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That every individual or copartnership, residing in the Counties of Charleston and Richland, designing to carry on or exercise the business of stock broker, exchange broker and bill broker, shall, and they are hereby, required to pay into the Treasury of their respective Counties, for the use of the State, the sum of one hundred dollars, payable quarterly, as follows: . Twenty-five dollars on or before the first day of April, 1872; twenty-five dollars on or before the first day of July, 1872; twenty-five dollars on or before the first day of October, 1872; and twenty-five dollars on or before the first day of January, 1873; and, if residing in any other County of this State, the sum of fifty dollars, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873. The provisions of this Section shall be, and are hereby, extended to real estate brokers and to merchandise brokers. A real estate broker is hereby defined to be one who engages in the purchase or sale of real estate for a commission or other profit; and a merchandise broker, one who engages in the purchase or sale of merchandise for a commission or other profit.

Stock, exchange and bill brokers.

License—amount of.

When payable.

Real estate broker defined.

Merchandise broker defined.

SEC. 2. Every person or company, designing to carry on or conduct the business of keeping a billiard room, bowling saloon or ten-pin alley in this State, shall be required to pay into the Treasury of their or his respective County, for the use of the State, the sum of twenty-five dollars for every billiard table, the sum of twenty-five dollars for every alley, and the sum of ten dollars for every bagatelle table, the same to be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873: *Provided, however,* That this Act shall not be construed to apply to billiard tables, bowling saloons or ten-pin alleys, used in private residences, for private use.

Billiard rooms and bowling saloons.

Amount of license, and when payable

SEC. 3. Every hotel, inn, livery stable, tavern or saloon, shall be classified and rated according to the rental value thereof, and every keeper or keepers of the same shall be required to pay into the County Treasury of the County in which such hotel, inn, tavern or saloon is kept, for the use of the State, the sums, according to said rental values, as follows, to wit: In all cases where such rental value, per year, shall be ten thousand dollars or more, such hotel, inn, tavern or saloon, shall pay the sum of three hundred and seventy-five dollars; when the rental value is seven thousand five hundred dollars, and less than ten thousand dollars, the sum of three hundred dollars; when five thousand dollars, and less than seven

Hotels, inns, livery stables and taverns.

Licensed according to rental value.

A. D. 1872.

thousand five hundred dollars, the sum of two hundred and twenty-five dollars; when three thousand five hundred dollars, and less than five thousand dollars, one hundred and eighty-seven dollars and fifty cents; when two thousand five hundred dollars, and less than three thousand five hundred dollars, one hundred and fifty dollars; when two thousand dollars, and less than two thousand five hundred dollars, one hundred and thirty-one dollars and sixty-six cents; when fifteen hundred dollars, and less than two thousand dollars, one hundred and twelve dollars and fifty cents; when one thousand dollars, and less than fifteen hundred dollars, ninety-four dollars and seventy-five cents; when seven hundred and fifty dollars, and less than one thousand dollars, seventy-five dollars; when five hundred dollars, and less than seven hundred and fifty dollars, sixty-seven dollars and fifty cents; when four hundred dollars, and less than five hundred dollars, sixty dollars; when three hundred dollars, and less than four hundred dollars, fifty-two dollars and fifty cents; when two hundred dollars, and less than three hundred dollars, forty-five dollars; when less than two hundred dollars, thirty-seven dollars and fifty cents. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

License—
when paya-
ble.

Dealers in
and venders
of goods,
wares, mer-
chandise,
wines, distil-
led liquors,
drugs or med-
icines.

Licensed ac-
cording to an-
nual sales.

SEC. 4. Every person, firm or company who shall engage in, or exercise, the business of selling or vending any goods, wares, merchandise, wines, distilled or malt liquors, drugs or medicines, except such as are sold by auction, under licenses granted them, and except such as are sold by regularly licensed hotel, inn, tavern or saloon keepers, shall be required to pay into the Treasury of the County in which he or they shall design to conduct or carry on such business, for the use of the State, the sums as follows, to wit: Those whose annual sales amount to three hundred thousand dollars and upwards, shall constitute the first class, and pay two hundred and fifty dollars; those to the amount of two hundred thousand dollars, and less than three hundred thousand dollars, the second class, and pay two hundred dollars; those to the amount of one hundred and fifty thousand dollars, and less than two hundred thousand dollars, the third class, and pay one hundred and seventy-five dollars; those to the amount of one hundred and twenty-five thousand dollars, and less than one hundred and fifty thousand dollars, the fourth class, and pay one hundred and fifty dollars; those to the amount of one hundred thousand dollars, and less than one hundred and twenty-five thousand dollars, the fifth class, and pay one hundred and twenty-five dollars; those to the amount of eighty-five thousand dollars, and less than one hundred thousand dollars, the sixth class, and pay one hundred dollars; those to the amount of seventy-five

thousand dollars, and less than eighty-five thousand dollars, the seventh class, and pay eighty dollars; those to the amount of sixty-five thousand dollars, and less than seventy-five thousand dollars, the eighth class, and pay seventy dollars; those to the amount of fifty-five thousand dollars, and less than sixty-five thousand dollars, the ninth class, and pay sixty dollars; those to the amount of forty-five thousand dollars, and less than fifty thousand dollars, the tenth class, and pay fifty dollars; those to the amount of thirty-five thousand dollars, and less than forty-five thousand dollars, the eleventh class, and pay forty dollars; those to the amount of twenty-five thousand dollars, and less than thirty-five thousand dollars, the twelfth class, and pay thirty dollars; those to the amount of twenty thousand dollars, and less than twenty-five thousand dollars, the thirteenth class, and pay twenty-five dollars; those to the amount of fifteen thousand dollars, and less than twenty thousand dollars, the fourteenth class, and pay twenty dollars; those to the amount of ten thousand dollars, and less than fifteen thousand dollars, the fifteenth class, and pay eighteen dollars; those to the amount of seven thousand five hundred dollars, and less than ten thousand dollars, the sixteenth class, and pay fifteen dollars; those to the amount of five thousand dollars, and less than seven thousand five hundred dollars, and all less than twenty-five hundred dollars, the seventeenth class, and pay five dollars: *Provided*, That the sale of malt or spirituous liquors shall not, by this Section, be authorized in measures less than those of one quart; and that nothing herein contained shall be construed to extend to physicians, surgeons, apothecaries or chemists, as to any malt or spirituous liquors which they may use in the preparation or making up of medicines for sick, lame or diseased persons: *And provided, further*, That every seller or vender of wines, distilled or malt liquors, in measures not less than one quart, either with or without other goods, wares, merchandise, commodities or effects, as aforesaid, shall pay fifty per cent., in addition to the rates above specified, for the respective classes; and every license granted under this Act shall distinctly specify whether the party obtaining the same is or is not authorized thereby to sell or vend wine, spirituous, distilled, or malt liquors. The above amounts shall be paid in quarterly installments, on the first day of April, July and October, 1872, and January, 1873.

SEC. 5. If any person or persons shall have more than one store in which merchandise, as described in the foregoing Section, is sold or vended, such person or persons shall be required to pay the respective amounts above specified, according to class, for each and every store.

SEC. 6. Every individual, company, or corporation, other than

A. D. 1872.

Proviso.

Further proviso.

Licenses.

When payable.

Persons having more than one store to pay said amounts for each store.

A. D. 1872.

Individuals, or
persons or
corporations
carrying on
a banking bu-
siness licens-
ed according
to amount of
capital.

national banks, carrying on or conducting a banking business in this State, shall be required to pay into the County Treasury of the County in which he or they shall carry on or conduct such business, for the use of the State, the following respective sums, to wit: For every bank, the capital of which is less than and does not exceed fifty thousand dollars, the sum of one hundred and twenty-five dollars; for every bank, the capital of which does not exceed one hundred thousand dollars, but is greater than fifty thousand dollars, two hundred and fifty dollars; for every bank, the capital of which does not exceed one hundred and fifty thousand dollars, but is greater than one hundred thousand dollars, three hundred and seventy-five dollars; for every bank, the capital of which does not exceed two hundred thousand dollars, but is greater than one hundred and fifty thousand dollars, five hundred dollars; for every bank, the capital of which does not exceed two hundred and fifty thousand dollars, but is greater than two hundred thousand dollars, six hundred and twenty-five dollars; for every bank, the capital of which does not exceed three hundred thousand dollars, but is greater than two hundred and fifty thousand dollars, seven hundred and fifty dollars; for every bank, the capital of which does not exceed three hundred and fifty thousand dollars, but is greater than three hundred thousand dollars, eight hundred and seventy-five dollars; for every bank, the capital of which does not exceed four hundred thousand dollars, but is greater than three hundred and fifty thousand dollars, one thousand dollars; for every bank, the capital of which does not exceed four hundred and fifty thousand dollars, but is greater than four hundred thousand dollars, eleven hundred and twenty-five dollars; for every bank, the capital of which does not exceed five hundred thousand dollars, but is greater than four hundred and fifty thousand dollars, twelve hundred and seventy-five dollars; for every bank, the capital of which does not exceed five hundred and fifty thousand dollars, but is greater than five hundred thousand dollars, thirteen hundred and seventy-five dollars; for every bank, the capital of which does not exceed six hundred thousand dollars, but is greater than five hundred and fifty thousand dollars, fifteen hundred dollars; for every bank, the capital of which does not exceed six hundred and fifty thousand dollars, but is greater than six hundred thousand dollars, sixteen hundred and twenty-five dollars; for every bank, the capital of which does not exceed seven hundred thousand dollars, but is greater than six hundred and fifty thousand dollars, seventeen hundred and fifty dollars; for every bank, the capital of which does not exceed seven hundred and fifty thousand dollars, but is greater than seven hundred

thousand dollars, eighteen hundred and seventy-five dollars; for every bank, the capital of which does not exceed eight hundred thousand dollars, but is greater than seven hundred and fifty thousand dollars, two thousand dollars; for every bank, the capital of which does not exceed eight hundred and fifty thousand dollars, but is greater than eight hundred thousand dollars, twenty-one hundred and twenty-five dollars; for every bank, the capital of which does not exceed nine hundred thousand dollars, but is greater than eight hundred and fifty thousand dollars, twenty-two hundred and fifty dollars; for every bank, the capital of which does not exceed nine hundred and fifty thousand dollars, but is greater than nine hundred thousand dollars, twenty-three hundred and seventy-five dollars; for every bank, the capital of which does not exceed one million dollars, but is greater than nine hundred and fifty thousand dollars, two thousand five hundred dollars; and for every additional fifty thousand dollars of capital, or fraction thereof, in excess of one million dollars, one hundred and twenty-five dollars. The above amounts shall be paid, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

A. D 1872.

Licenses—
when pay-
able.

SEC. 7. Every railroad company or corporation in this State shall be required to pay into the Treasury of the County in which its principal office within this State is located, for the use of the State, the following respective sums, to wit: Every company or corporation, the length of whose main track and branches, together, is greater than two hundred and fifty miles, the sum of twelve hundred and fifty dollars; every one the length of whose main track and branches, together, is two hundred miles, and not exceeding two hundred and fifty miles, eleven hundred and twenty-five dollars; every one the length of whose main track and branches, together, is one hundred and fifty miles, and less than two hundred miles, one thousand dollars; every one the length of whose main track and branches, together, is one hundred miles, and less than one hundred and fifty miles, eight hundred and seventy-five dollars; every one the length of whose main track and branches, together, is seventy-five miles, and less than one hundred miles, six hundred and twenty-five dollars; every one the length of whose main track and branches, together, is fifty miles, and less than seventy-five miles, three hundred and seventy-five dollars; and every one the length of whose main track and branches, together, is less than fifty miles, one hundred and eighty-seven and a half dollars. The above amounts shall be paid, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Railroad com-
panies licensed
according
to length of
track.License: when
payable.

SEC. 8. Every person or company selling or vending commodi-

A. D 1872.

Auctioneers,
amount of li-
cense, and
when paya-
ble.

ties or merchandise, of any description whatever, at or by public outcry, shall be deemed an auctioneer under this Act, and he or they, carrying on or conducting such business in the Counties of Charleston or Richland, shall be required to pay into the treasury of such County, for the use of the State, the sum of one hundred dollars; and if in any other County in this State, the sum of fifty dollars. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Dealers in
fertilizers
and phosphat-
ic deposits.

SEC. 9. Every person, company or corporation carrying on or conducting the business of digging, mining, manufacturing or changing into new forms for use as fertilizers, any mineral or phosphatic deposits in this State, or any party or parties who shall sell or establish an agency for the sale of fertilizers of any kind or description within this State, who manufacture the same beyond the limits of the State, shall be required to pay into the County Treasury of the County in which he or they shall carry on or conduct such business, for the use of the State, the sum of five hundred dollars, the same to be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Amount of
license, and
when paya-
ble.

Attorneys-
at-law, phy-
sicians, den-
tists, insur-
ance agents,
&c.

Amount of
license, and
when paya-
ble.

Photograph-
ers.

SEC. 10. Every person engaged in the profession or calling of attorney at law, solicitor or lawyer, physician or surgeon dentist, insurance agent or architect, in this State, shall be required to pay into the Treasury of the County in which such person resides, for the use of the State, the sum of ten dollars; all photographers and Daguerrean artists, in Charleston and Richland Counties, twenty-five dollars each, and for all the other Counties in the State, ten dollars each; and every person holding any office whatsoever, either elected or appointed, all officers of corporations and societies who receive a salary, shall be required to pay into the Treasury of the County in which such persons reside, for the use of the State, on or before the first day of April, A. D. 1872, the sum of one dollar for every one hundred dollars' salary receivable, or to be received, from such office. Any person engaged in the business of selling by sample, or any person soliciting orders, shall pay the sum of twenty-five dollars. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Sellers by
sample, &c.,
amount of li-
cense, and
when paya-
ble.

Telegraph
companies li-
censed accord-
ing to length
of line.

SEC. 11. Every company or corporation carrying on or conducting the business of telegraphing, or forwarding dispatches by telegraph, in this State, shall be required to pay into the Treasury of the County in which its principal office within this State is located, for the use of the State, the following respective sums, to wit: Every company or corporation, the length of whose main line and branches,

together, is fifty miles or less, fifty dollars; every one, the length of whose main line and branches, together, does not exceed one hundred miles, but is greater than fifty miles, seventy-five dollars; and for every additional fifty miles, or fraction thereof, the sum of twenty-five dollars: *Provided, however,* That the above rates shall apply to a single line of wire, and every company or corporation, as aforesaid, shall pay twenty per cent., in addition to the rates above specified, for every additional wire. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

A. D. 1872.

Proviso.

SEC. 12. Every express company or corporation, carrying on or conducting the business of forwarding or carrying parcels, packages of goods, or merchandise of any description, over any of the railroads or public highways of this State, shall be required to pay into the Treasury of the County in which his or its principal office within this State is located, for the use of the State, the sum of two hundred and fifty dollars. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Express companies.

Amount of license, and when payable

SEC. 13. Every person, company or corporation carrying on or conducting any of the above occupations or businesses is hereby required to make a return, under the provisions of this Act, of his or their respective occupation or business, under oath, to the Auditor of his or their respective Counties, between the first day of April and the first day of June, A. D. 1872, and between the same dates on each and every succeeding year thereafter; and every person, company or corporation carrying on or conducting any of the above occupations or businesses is hereby required to pay into the treasury of his or their respective Counties, for the use of the State, on or before the first day of April, July and October, 1872, and January, 1873, and at the same time on each succeeding year thereafter, the sum required by the foregoing provisions of this Act to be paid into the respective County Treasuries, on his or their respective occupation or business.

Returns under oath to be made to County Auditor.

SEC. 14. It is hereby made the duty of each and every County Auditor in this State, on or before the first day of April, July and October, 1872, and January, 1873, and at the same time on each and every succeeding year thereafter, to make and deliver to the Treasurer of his County a duplicate list, and, at the same time, transmit to the State Auditor an abstract of the returns made to him under the provisions of this Act.

County Auditors to deliver to Treasurer duplicate lists.

SEC. 15. It shall be the duty of the Treasurer of each and every County in this State, upon the receipt of the first quarterly installment of the sum or sums specified to be paid upon any occupation

A. D. 1872.

Treasurer to
issue certificate to Audi-
tor.

Auditor, on
receipt of cer-
tificate, to is-
sue license.

Fees of
County Audi-
tor.

Proviso.

Monthly re-
ports of Coun-
ty Treasurers.

Penalty for
non-compli-
ance with this
Act.

or business under the provisions of this Act, to give to the person, company or corporation paying the same a certificate to the Auditor of his County, specifying the sum paid, and the occupation or business on which the same was paid; and said Auditor, upon presentation to him of such certificate, is hereby authorized and directed to issue to the person or company, or corporation presenting the same, a license, authorizing him or them to carry on or conduct such occupation or business for the period of one year from the first day of April: *Provided*, That the quarterly installments heretofore provided for shall be paid when due, or such license, so issued, shall become null and void; for the issuing of which license said County Auditor shall receive the sum of twenty-five cents from the person, company or corporation receiving the same as compensation for taking the returns and issuing the licenses provided for in this Act: *Provided*, That any person, company or corporation who may commence any of the occupations or businesses specified in this Act after the first day of April, A. D. 1872, or of any succeeding year, shall take out a license from the time of commencing such occupation or business until the first day of April next thereafter, for which he or they shall pay a sum proportionate to the number of months intervening between such periods.

SEC. 16. The County Treasurer of each and every County shall pay, or cause to be paid, monthly, into the State Treasury, all moneys received by him under the provisions of this Act, and the State Treasurer shall receipt therefor to County Treasurers, in the same manner as is provided in Section 102 of an Act entitled "An Act to provide for the assessment and taxation of property," passed the 15th day of September, A. D. 1868.

SEC. 17. Any person or persons carrying on, or conducting any occupation or business named in this Act, without having first complied with its provisions, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not less than double the amount of license imposed upon such business or occupation, and be imprisoned in the jail of the County in which such offense is committed, for a period of not less than six months, or either or both, at the discretion of the Court; and every company or corporation carrying on or conducting any occupation or business named in this Act, without having first complied with its provisions, shall be fined in a sum not less than double the amount of license imposed upon such business or occupation, and the Attorney General and Solicitors are hereby authorized and directed to take all legal proceedings necessary for the collection of such fine.

Approved March 13, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND AN ACT TO INCORPORATE THE TOWN OF MARION, AND FOR OTHER PURPOSES THEREIN MENTIONED."

A. D. 1872.

No. 156.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That Section 2 be amended, on the 4th line, by striking out "three-fourths," and inserting in lieu thereof the word "one." That Section 3 be amended, on the 5th line, by striking out the word "January," and inserting in lieu thereof the word "December." That Section 4 be amended, on the 5th line, by inserting, between the words "thereof" and "the," the words "It shall be the duty of the Intendant and Wardens to cause all bar rooms, saloons, and other places for the sale of liquors by retail, to be closed during the progress of such election, and until 6 o'clock in the morning of the day thereafter; and during the time aforesaid the sale of all intoxicating liquors are prohibited. Any person or persons violating the provisions of this Section shall be punished by a fine not exceeding thirty dollars, or by imprisonment not exceeding thirty days in the County Jail, or by both such fine and imprisonment, at the discretion of the Town Council."

Bar-rooms,
saloons, &c.,
to be closed
on day of elec-
tion.

Approved March 13, 1872.

AN ACT TO RENEW THE CHARTER OF PEAY'S FERRY, OVER THE WATEREE RIVER. No. 157.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the ferry over the Waterree River, known as Peay's Ferry, be, and the same is hereby, renewed and continued in force from and after the passage of this Act, until amended or repealed; and the same is hereby vested in D. J. D. Cureton, his executors, administrators and assigns, subject to like powers, privileges and limitations as were formerly conferred upon the owner of said ferry by law: *Provided, however*, That the following rate of ferriage only shall be charged and collected, to wit: Single passengers, 5 cents; man and horse, 15 cents; buggy, 25 cents; 1 horse wagon, 25 cents; 2 horse wagon 50 cents; 4 horse wagon, 75 cents.

Charter re-
newed and
vested in D.
J. D. Cureton.

Rates of
toll.

A. D. 1872.

Individuals, or
persons or
corporations
carrying on
a banking bu-
siness licens-
ed according
to amount of
capital.

national banks, carrying on or conducting a banking business in this State, shall be required to pay into the County Treasury of the County in which he or they shall carry on or conduct such business, for the use of the State, the following respective sums, to wit: For every bank, the capital of which is less than and does not exceed fifty thousand dollars, the sum of one hundred and twenty-five dollars; for every bank, the capital of which does not exceed one hundred thousand dollars, but is greater than fifty thousand dollars, two hundred and fifty dollars; for every bank, the capital of which does not exceed one hundred and fifty thousand dollars, but is greater than one hundred thousand dollars, three hundred and seventy-five dollars; for every bank, the capital of which does not exceed two hundred thousand dollars, but is greater than one hundred and fifty thousand dollars, five hundred dollars; for every bank, the capital of which does not exceed two hundred and fifty thousand dollars, but is greater than two hundred thousand dollars, six hundred and twenty-five dollars; for every bank, the capital of which does not exceed three hundred thousand dollars, but is greater than two hundred and fifty thousand dollars, seven hundred and fifty dollars; for every bank, the capital of which does not exceed three hundred and fifty thousand dollars, but is greater than three hundred thousand dollars, eight hundred and seventy-five dollars; for every bank, the capital of which does not exceed four hundred thousand dollars, but is greater than three hundred and fifty thousand dollars, one thousand dollars; for every bank, the capital of which does not exceed four hundred and fifty thousand dollars, but is greater than four hundred thousand dollars, eleven hundred and twenty-five dollars; for every bank, the capital of which does not exceed five hundred thousand dollars, but is greater than four hundred and fifty thousand dollars, twelve hundred and seventy-five dollars; for every bank, the capital of which does not exceed five hundred and fifty thousand dollars, but is greater than five hundred thousand dollars, thirteen hundred and seventy-five dollars; for every bank, the capital of which does not exceed six hundred thousand dollars, but is greater than five hundred and fifty thousand dollars, fifteen hundred dollars; for every bank, the capital of which does not exceed six hundred and fifty thousand dollars, but is greater than six hundred thousand dollars, sixteen hundred and twenty-five dollars; for every bank, the capital of which does not exceed seven hundred thousand dollars, but is greater than six hundred and fifty thousand dollars, seventeen hundred and fifty dollars; for every bank, the capital of which does not exceed seven hundred and fifty thousand dollars, but is greater than seven hundred

thousand dollars, eighteen hundred and seventy-five dollars; for every bank, the capital of which does not exceed eight hundred thousand dollars, but is greater than seven hundred and fifty thousand dollars, two thousand dollars; for every bank, the capital of which does not exceed eight hundred and fifty thousand dollars, but is greater than eight hundred thousand dollars, twenty-one hundred and twenty-five dollars; for every bank, the capital of which does not exceed nine hundred thousand dollars, but is greater than eight hundred and fifty thousand dollars, twenty-two hundred and fifty dollars; for every bank, the capital of which does not exceed nine hundred and fifty thousand dollars, but is greater than nine hundred thousand dollars, twenty-three hundred and seventy-five dollars; for every bank, the capital of which does not exceed one million dollars, but is greater than nine hundred and fifty thousand dollars, two thousand five hundred dollars; and for every additional fifty thousand dollars of capital, or fraction thereof, in excess of one million dollars, one hundred and twenty-five dollars. The above amounts shall be paid, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

A. D 1872.

Licenses—
when pay-
able.

SEC. 7. Every railroad company or corporation in this State shall be required to pay into the Treasury of the County in which its principal office within this State is located, for the use of the State, the following respective sums, to wit: Every company or corporation, the length of whose main track and branches, together, is greater than two hundred and fifty miles, the sum of twelve hundred and fifty dollars; every one the length of whose main track and branches, together, is two hundred miles, and not exceeding two hundred and fifty miles, eleven hundred and twenty-five dollars; every one the length of whose main track and branches, together, is one hundred and fifty miles, and less than two hundred miles, one thousand dollars; every one the length of whose main track and branches, together, is one hundred miles, and less than one hundred and fifty miles, eight hundred and seventy-five dollars; every one the length of whose main track and branches, together, is seventy-five miles, and less than one hundred miles, six hundred and twenty-five dollars; every one the length of whose main track and branches, together, is fifty miles, and less than seventy-five miles, three hundred and seventy-five dollars; and every one the length of whose main track and branches, together, is less than fifty miles, one hundred and eighty-seven and a half dollars. The above amounts shall be paid, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Railroad com-
panies licens-
ed according
to length of
track.License: when
payable.

SEC. 8. Every person or company selling or vending commodi-

A. D. 1872. AN ACT TO INCORPORATE THE LINCOLN LIGHT INFANTRY, OF
No. 160. DARLINGTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Keith, Larry Aiken, Jacob Smart, under the name and style of the "Lincoln Light Infantry, of Darlington," and their associates and successors, be, and they are, respectively, incorporated, and made and declared a body politic and corporate, in deed and in law, and, as such body politic, shall have the power to use and keep a common seal, and the same at will to alter; to make all necessary by-laws, not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

Corporators.

Title.

Powers and privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the space of ten years from and after its passage.

Approved March 13, 1872.

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No. 161. AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF
PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That where the writ of *habeas corpus* has been suspended by the President of the United States, there shall be levied and collected, at the same time and in the same manner that all other taxes are collected, a special tax of one-half ($\frac{1}{2}$) mill on the dollar, of the assessed value of all the taxable property of each and every of said Counties, the proceeds of which tax shall be paid into the County Treasury in said Counties, respectively; and shall constitute a pension fund for the support of the indigent widows and orphans of those persons who have been killed in said Counties because of their political opinions: *Provided*, That if in any County said levy of one-half ($\frac{1}{2}$) mill on the dollar shall be more than sufficient for the support of the widows and orphans aforesaid in said County, then said excess shall be applied to the school fund, to be disbursed according to law.

Levy of certain tax.

Pension funds.

Disposition of surplus funds.

SEC. 2. That each of such destitute or indigent widows or orphans, on satisfactory proof (by not less than two disinterested witnesses) furnished to the County Treasurer of his or her County, shall receive an allowance or pension of the amount as follows, to wit: For each widow, ten dollars per month; for each orphan child, under the age of fifteen years, six dollars per month, payable on the first day of each and every month by the County Treasurer, such allowance to be continued during the widowhood of such widow, or to such orphan child until he or she shall have attained the age of fifteen years. The County Treasurers of said Counties shall report to the next General Assembly a detailed statement as to how far the provisions of this Act have been carried into execution.

A. D. 1872.

Each widow
\$10 per monthChildren \$6
per month.

County Treasurers to report annually to General Assembly.

SEC. 3. This Act shall take effect from the date of its passage.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE EDISTO, CAW CAW AND WAITES' CREEK CANAL COMPANY, OF SOUTH CAROLINA. No. 162.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard H. Cain, Timothy Hurley, John D. Weatherly, David Ricker, John C. Downing, B. A. Rosemon, A. J. Ransier, W. M. Thomas, A. P. Holmes, George F. McIntyre, L. J. Maddocks, S. Small, E. D. Holmes, Robert Tarlton, George Lee, B. Byas, P. P. Hedges, Wm. R. Jervey, and such other persons as they may associate with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the Edisto, Caw Caw and Waites' Creek Canal Company. And they are hereby made corporate in law, to have, hold, purchase and possess lands, and to make sale of the same, or any property acquired by them, as a company, to carry on the lumber, wood business, dig phosphates that may be on their lands, to erect houses, mills, machine shops, manufactories, dig out and clean away any obstructions which may be necessary in order to complete a navigable water course from the Edisto River to the Ashley River in this State, conveying water, lumber, wood, barges, rafts, boats, or any craft that may be necessary to carry out the designs of said company. They may also convey fresh water to the city of Charleston, by such means as they may deem best, and at such time as shall be most practicable, and

Corporators.

Corporate name.

Objects of corporation.

May convey water to Charleston.

A. D. 1872.

Toll.

Capital stock.

shall have authority to impose such a toll on vessels, rafts, barges, boats and flats as may be deemed proper for the use of said canal.

SEC. 2. The capital stock of this company shall be five hundred thousand dollars, divided into shares of ten (10) dollars each, and shall organize when ten thousand dollars shall be subscribed and paid in, either in cash, or lands, machinery, goods, or any material which may be deemed of equal value to said company, which may be applied in its operations.

Annual meetings.

President and Directors.

SEC. 3. There shall be held annual meetings of the stockholders to elect a President and Directors; there shall be four Directors, who shall hold their offices for one year.

SEC. 4. Each share shall represent one vote in all elections for officers.

Transfer of shares.

SEC. 5. All transfers of shares shall be made in accordance with bank rules for making transfers of shares. The Directors shall make all needful by-laws for the government of the company, and alter and amend the same at pleasure.

Water communication.

SEC. 6. This company shall have water communication from the Edisto River, through Bull Creek, and the most direct route through Caw Caw Swamp water lead, to Waites' Creek, two hundred feet wide, and may appropriate any lands on said route necessary to forward this enterprise and facilitate quick transportation: *Provided*, That they shall pay a just and reasonable compensation for all land appropriated for said purpose.

Rates of toll.

SEC. 7. That they, and their successors, shall fix and establish any toll, and receive the same, on all goods, merchandise, timber, lumber, wood, boats, flats, rafts, or any means of transit through said canal, and any party refusing to pay said toll, their goods may be detained till said toll is paid.

Issue of bonds

SEC. 8. The said company shall have authority to issue coupon bonds, bearing eight per cent. interest, redeemable in ten and twenty years, not exceeding one hundred thousand dollars.

May commence work immediately.

SEC. 9. They shall have power to commence work immediately on its formation, and may make publication of the same, and keep open their subscription books at such time and place as they may determine.

SEC. 10. This Act shall be deemed a public Act, and shall remain in force for fifty years.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE MERCHANTS' BUILDING, TRUST
AND LOAN ASSOCIATION, OF AIKEN, SOUTH CAROLINA.

A. D. 1872.

No. 163.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Jones, H. J. Maxwell, J. A. Bowley, P. R. Rivers, E. P. Stoney, James Major, Joseph Quash, M. J. Hirsch, C. D. Hayne, John C. Ford, E. Ferguson, James Johnson, J. B. Bascomb, J. S. Mobley and E. M. Sumpter, together with such other persons who are now, or may hereafter be, associated with them, be, and they are hereby, declared a body politic and corporate, (for the purpose of making loans of money, by certificate or otherwise, secured by mortgage on real estate and personal property of any and all description, or by conveyance of the same to their members and stockholders or other persons,) by the name and style of the "Merchants' Building, Trust and Loan Association, of Aiken, South Carolina." The capital stock of said Association shall consist of twenty-five hundred shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue; and the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such regulations, for defaults in their payments, as may be prescribed by the by-laws created for the government of the corporation.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; and shall have such succession and number of members and officers as shall be ordained and chosen, according to the rules or by-laws made, or to be made, by them; shall have and keep a common seal, and alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right, privilege and immunity belonging to corporate bodies, as guaranteed by the laws of the land.

General powers.

SEC. 3. That the said corporation shall have power to take, purchase, hold and enjoy real estate, and to sell and transfer the same, as may be deemed proper, to its members and others, on such terms, and on such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of said corporation.

May hold and dispose of property.

SEC. 4. That the funds of said corporation shall be loaned and advanced to its members and stockholders, or others, upon the security of real and personal property, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and on such conditions, and subject to such regulations, as may,

Investment of funds.

A. D. 1872.

from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security, upon its loans and advances, and may sell, alien or otherwise dispose of the same to its members, stockholders or others, as they, from time to time, may deem expedient.

Privileges
conferred on
all banking
institutions
in this State
conferred on
this corpora-
tion.

SEC. 5. That all the privileges, rights and immunities conferred upon any and all chartered banking corporations in this State be, and the same are hereby, conferred upon the association hereby incorporated, and they shall be, and are hereby, authorized and empowered to adopt any and all such charters to facilitate them in carrying on the business contemplated by the association.

SEC. 6. That this Act shall be deemed a public Act, and continue in force for the term of fourteen years; and the same may be given in evidence without being specially pleaded.

Approved March 13, 1872.

No. 164. AN ACT TO CHARTER THE SPARTANBURG AND PORT ROYAL RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That, for the purpose of establishing a railroad from Spartanburg to Port Royal, a charter, with all the rights and privileges incidental to the same, be, and is hereby, granted to W. J. Whipper, R. Smalls, N. B. Myers, James M. Baxter, J. J. Patterson, James N. Hayne, H. C. Corwin, H. G. Worthington, G. Cannon, B. A. Bosemon, W. H. Jones, James Miller, H. W. Duncan, J. S. Mobley, J. A. Bowley, D. R. Duncan, Timothy Hurley, William Munro, R. M. Smith, S. J. Lee, J. H. Evans, J. T. B. Jeter, L. Wofford, F. S. Jacobs, R. J. Donaldson, Hardy Solomon, D. A. Childs, S. A. Swails, T. J. Moore, J. C. Bonsall, S. L. Hoge, C. D. Melton, J. M. Allen, Thomas Steers and W. J. Wilkins, and their associates and successors, who are hereby constituted a body politic and corporate, by the name and style of the Spartanburg and Port Royal Railroad Company.

Corporate
name.

Extent of
road.

SEC. 2. That the said Company is hereby authorized to construct a railroad from Spartanburg to Port Royal, by such route as shall be found most suitable and advantageous.

SEC. 3. That the capital stock of said company shall be one and a half million dollars, with the privilege of increasing it to two and a half million dollars, if found necessary, to be divided into shares of fifty dollars each; and, for the purpose of raising such capital stock, it shall be lawful to open books of subscription, at such times and places, and to keep them open for such periods of time, and under the direction of such persons, as may be determined on by a majority of said company. That subscriptions to the capital stock may be made in land, at a rate, per acre, to be agreed upon at the time of subscription; and that each and every person subscribing land shall execute a deed to the said company; and that all amounts subscribed in land or money shall constitute the joint stock capital for the purpose of constructing and carrying into operation the railroad provided for by this Act; and the said railroad shall have power to mortgage its property and franchises, and issue bonds, on such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient

A. D. 1872.

Capital stock

Books of subscription.

Joint stock capital.

Issue of bonds.

SEC. 4. That the said railroad shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which lands, or right of way over the lands, of persons or corporations may be taken for the construction or use of railways, and other works of internal improvement:" *Provided, however,* That nothing herein contained shall be construed so as to exempt the said company from the payment of taxes: *Provided, further,* That nothing herein contained shall be construed so as to exempt said company from the provisions of Section 1, Chapter 63, of the General Statutes.

Subject to provisions of Act of 1868.

Approved March 13, 1872.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A SCHOOL IN THE STATE PENITENTIARY. No. 165.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, on the passage of this Act, it shall be the duty of the Superintendent of the Penitentiary to organize a school in the said institution, for the benefit of such convicts confined therein as may reasonably be expected to derive advantages therefrom. He shall employ teachers at such compensation as the Directors of the Penitentiary shall deem proper;

School for convicts in Penitentiary.

A. D. 1872.

and said teachers may be removed when found inefficient, incompetent or inattentive to their duties, or for any other cause unsuitable for the trust.

School hours.

SEC. 2. The school shall be in operation every working day of the week, at such time, between the hours of 6 and 8 A. M., and between 4 and 8 P. M., as shall not interfere materially with the general work or labor, nor with the meal hours established, or hereafter to be established, at the institution: *Provided*, That the Directors and the Superintendent of the Penitentiary may increase the said time, and protract or lengthen the hours of the school, at their discretion, for such convicts or scholars as shall manifest particular aptness to derive benefit therefrom.

Proviso.

Superintendent of Education to supply said school with books.

SEC. 3. That it shall be the duty of the State Superintendent of Education, on the requisition of the Superintendent of the Penitentiary, approved by the Directors, to supply the said school with such text books as may be necessary for its use, on such terms and conditions as may be established for supplying the Free Common Schools of the State.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 13, 1872.

No. 166. AN ACT TO AMEND THE LAW IN RELATION TO THE LICENSE AND REGISTRATION OF PHARMACEUTISTS, APOTHECARIES AND DRUGGISTS, AND TO REGULATE THE VENDING OF DRUGS AND POISONS.

Conferring certain powers on the Medical Faculty of the University of South Carolina.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That, from and after the passage of this Act, the Medical Faculty of the University of South Carolina shall possess and exercise all the powers heretofore given and now possessed by the Faculty of the Medical College of Charleston, in respect to the examination and license of pharmacutists, apothecaries and druggists: *Provided*, That this Section be construed as in no wise diminishing the powers of the Faculty last named; but as giving to the Faculty first named the same powers, and also imposing thereon the duty and obligation to exercise such powers, upon due application.

SEC. 2. That every pharmacist, apothecary or druggist who carries on and conducts the business of such occupation in this State,

after the expiration of six months from the passage of this Act, must have a license therefor from one of the above named bodies. And any person who shall thereafter carry on and conduct the business of said occupations, or any of them, without such license, shall be liable to indictment as for a misdemeanor, and, on conviction, to a fine not exceeding five hundred dollars, or imprisonment not exceeding six months.

A. D. 1872.

Pharmacu-
tists, apothecaries and
druggists re-
quired to
have a license

SEC. 3. That, before granting said license, except in the cases hereinafter excepted, each applicant therefor shall undergo an examination by and before that body to which the application is made, and of such nature as they shall require; but such examination must include the reading of manuscript prescriptions and explanations thereof, the discovery or detection of unusual doses of drugs, and especially of poisons, the recognition and distinguishing of the various roots, barks, leaves, fruits, rosins and gums in common use, and the proper antidotes and mode of administration thereof for the different poisons.

Applicants
for licenses to
undergo ex-
amination.

SEC. 4. That no examination shall be required in case the applicant is a regular graduate in medicine or pharmacy of a school that is on the *ad eundem* of the University of South Carolina, but such an applicant shall be entitled to a license, upon furnishing evidence of his graduation satisfactory to the said Faculty.

Graduates
entitled to li-
cense without
examination.

SEC. 5. That it shall be the duty of the Medical Faculty of the said University to establish, carry on and preserve, in a book to be kept for that purpose, a register of all pharmacutists, apothecaries and druggists in the State, including the names of persons registered, place of business, the fact whether the person registered be a graduate of medicine or pharmacy, or whether under license granted on examination, and any other matter of information the said Faculty may see fit to add.

Said Medical
Faculty to
keep a regis-
ter.

SEC. 6. That it shall be the duty of all licensed pharmacutists, apothecaries and druggists, by whichsoever body licensed, to have their names registered in manner aforesaid by the Medical Faculty of the University of South Carolina, and to report annually on or before the first day of November of each year, to the said Medical Faculty of the said University, whether any, and, if yea, what change has occurred within the then preceding year, as to their respective places of business; and for omission or neglect of the requirements of this Section, or any of them, they shall, respectively, incur a fine of twenty-five dollars; and for each and every registration or change thereof, the party so registered shall pay to the said Faculty of the University the sum of one dollar, which shall be their compensation for the services performed in accordance with the provisions of this Act.

Licensed
pharmaceu-
tists, &c., to
register their
names, and
report annu-
ally to said
Faculty.

Penalty for
neglect.

A. D. 1872.

Medical Faculty to report annually to General Assembly.

SEC. 7. That it shall be the duty of the Medical Faculty of the University of South Carolina to make a correct report to the General Assembly of work done by them, in accordance with the provisions of this Act, on or before the first day of December in each year.

Record of sale of certain articles to be kept.

SEC. 8. That every pharmacist or other person selling any poison shall be satisfied that the purchase is made for legitimate purposes, and shall keep a book in which shall be recorded every sale of the following articles, viz : Arsenic, and its preparations, all metallic cyanides and cyanides of potassium, tartar emetic, corrosive sublimate, aconite and its preparations, strychnine, and all other poisonous alkaloids and their salts ; cantharides, ergot, hydrocyanic acid ; the said record also to exhibit the name of the person to whom sold, place of his residence, and purpose of purchase, as stated, which book shall be kept at all times subject to inspection by the Coroner of the County and Solicitor of the Circuit, or such other persons as either of them may designate.

Labeling of bottles, vials, &c., containing poison.

SEC. 9. That all persons in this State engaged in business as pharmacists, apothecaries or druggists, in either the wholesale or retail of drugs, shall, to every bottle, vial, box or other package containing any poison named in the preceding Section, or any one or more of the following articles, viz : Oxalic acid, chloroform, belladonna, and its preparations, opium, and all its preparations, except paregoric, digitalis, and its preparations, henbane, and its preparations, hemlock or conium, or any other article that may be added to this list by said Faculty of the University, securely attach a label, whereon shall be either printed, or legibly written, with red ink, the name of the poison and the name of at least one antidote, with brief directions as to the mode of using the same : *Provided*, That nothing herein contained shall be construed to apply to the filling of prescriptions made by regular physicians : *And provided, further*, That it shall be the duty of the examining body, on application at the time of registration, to furnish to the party registering a form of labels for poisons.

Merchants and shopkeepers may sell medicines already prepared.

SEC. 10. That this Act shall not be construed to prevent merchants and shop-keepers from vending or exposing to sale medicines already prepared : *Provided*, Such merchants and shop-keepers shall attach to the articles sold, a copy of the label attached thereto by wholesale druggists, and in the sale of poisons shall comply with the provisions of Sections 8 and 9 of this Act.

Penalty for permitting persons not qualified to compound prescriptions.

SEC. 11. That it shall not be lawful for the proprietor of any pharmaceutical shop to allow any person not qualified, in accordance with the provisions of this Act, to dispense of poisons or compound the prescriptions of physicians, and any person who, upon

indictment for a violation of this Section, shall be convicted of the same, shall pay a fine not exceeding five hundred dollars, or suffer imprisonment for a period of not more than six months.

A. D. 1872.

Approved March 13, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION AND REPAIRS OF PUBLIC HIGHWAYS." No. 167.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of said Act be so amended as to read: "That the bridges be repaired under the supervision of the County Commissioners, and that the expense of the same be paid out of any moneys in the County Treasury; and that all the work on said bridges, given out by the County Commissioners, when the amount shall exceed the sum of one hundred dollars, shall be done by contract; and the Commissioners are hereby required to advertise the same in at least one of the papers of the County; that said proposal shall, in all cases, be accompanied by two or more sufficient sureties; and the County Commissioners shall have the right to reject any or all bids if, in their judgment, the interest of the County so require."

Work on bridges—when to be done by contract.

SEC. 2. That the Sections of said Act relating to the appointment and duties of Highway Surveyors be so amended as to abolish the office of Highway Surveyors, and to confer the duties of the same upon the County Commissioners: *Provided*, That if the County Commissioners of any County in this State fail to comply with the provisions of this Section, they shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars each, and to an imprisonment not exceeding six months, or either, or both, at the discretion of the Court of General Sessions of their respective Counties: *Provided, further*, That all taxes levied for the repair of highways and bridges, in each County, shall be collected and paid at the same time as the general taxes to the County Treasurers.

Office of Highway Surveyor abolished.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

A. D. 1872.

No. 168.

AN ACT TO REGULATE THE PAY OF THE MEMBERS OF THE
GENERAL ASSEMBLY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each member of the next General Assembly shall receive an annual salary of six hundred dollars, and twenty cents for every mile of the ordinary route of travel in going to and returning from sessions of the General Assembly.

Approved March 13, 1872.

Salary of
\$600, and 20
cents mileage

No. 169. AN ACT TO REGULATE THE ISSUING OF CHECKS TO LABORERS
UPON PLANTATIONS OR ELSEWHERE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, unless otherwise provided by special contract, it shall be, and it is hereby required, of all persons who employ laborers upon plantations or elsewhere, by the day, week, month or year, to pay such laborers or employees in the United States bank notes or fractional currency.

Laborers and
employees to
be paid in
United States
bank notes or
currency.

SEC. 2. That if any person or persons, after the passage of this Act, shall offer to any laborer or employee, except as provided for in the preceding Section, as compensation for labor or services performed, checks or scrip of any description in lieu of United States bank notes or fractional currency, the said person or persons so offending shall be liable to indictment and punishment by a fine not exceeding one hundred dollars, and by imprisonment not exceeding twenty days, or both, according to the discretion of the Court: *Provided*, That the word "checks" in this Act shall not be construed so as to prohibit the giving of checks upon any of the authorized banks of deposit or issue in this State.

Penalty for
offering
checks or
scrip in lieu
of bank notes,
&c.

Word check
defined.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

No. 170. AN ACT TO CHARTER THE GREENWOOD AND AUGUSTA RAIL-
ROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

eral Assembly, and by the authority of the same, That for the purpose of establishing a railroad, on the most practicable route, from Greenwood, in the State of South Carolina, to Augusta, in the State of Georgia, which company, when formed, with the conditions herein prescribed, shall have corporate existence as a body politic in perpetuity.

A. D. 1872.

Purpose of
corporation.

SEC. 2. That this charter, with the rights and privileges incidental thereto, is hereby granted to and vested in J. H. Jennings, M. M. Aiken, S. P. Boozer, P. H. Bradley, C. L. Blair, J. D. Talbert, W. K. Bradley, Nick Merriwether, J. D. Neil, Wm. L. Parks, J. L. White, Wm. K. Blake and G. J. Sheppard, of the State of South Carolina, and Robert H. May, Thomas Phinizy, John D. Butt, Edward Barry, Austin Mullarky, W. A. Ramsay, T. Jefferson Jennings, Joseph T. Smith and Wm. P. Crawford, of the State of Georgia, and J. A. Barker, Lawrence Cain, Everidge Cain and T. M. Talbert, of the State of South Carolina.

Corporators:

SEC. 3. That, for the purpose of raising the necessary capital stock of said company, it shall be lawful to open books of subscription, in the State of South Carolina, in the Counties of Abbeville and Edgefield; and, in the State of Georgia, in the Counties of Richmond and Columbia; and in such cities and towns as may be deemed for the best interest of the corporation, under the direction of the corporators, to an amount not exceeding one million dollars, (\$1,000,000), in shares of twenty dollars (\$20) each, to constitute a joint capital stock, for the purpose of constructing and carrying into operation the aforesaid railroad, or any part thereof. And it shall be the duty of the said corporators, or a majority of them, to open books of subscription as soon after the ratification of this Act as may be practicable, of which twenty days' previous notice must be given in any newspaper or newspapers in the States aforesaid; and the subscription books shall be kept open for sixty days; that, on each share of stock subscribed, the said subscribers shall pay two dollars (\$2), or its equivalent, in currency, to the corporators, who shall give a certificate for the same; and, on the non-payment of said installment, the subscription shall be void; the corporators shall deposit the money received by them on said cash installments in a solvent bank, in any of the States aforesaid, and at the expiration of every thirty days. That when the sum of one hundred and fifty thousand dollars (\$150,000) are subscribed, the said corporators, or a majority of them, shall give notice of the time and place of meeting for organization in some public newspaper in each of the States aforesaid. But if the sum of one hundred and fifty thousand dollars (\$150,000) shall not be subscribed within the first appointed time, the said corporators may, for the

Books of
subscription.

Capital stock.

When said
Company may
organize.

A. D. 1872.

purpose of further subscriptions to the capital stock, keep the books open for such time, and at such places, as they may deem proper: *Provided*, That the corporators shall not keep the books open for a longer period than one year, at the expiration of which time the right to solicit and receive subscriptions shall vest in the President and Directors of said company.

Corporate
name.

SEC. 4. Whenever the said sum of one hundred and fifty thousand dollars (\$150,000) is subscribed, in the manner herein prescribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby, declared to be, incorporated into a company, by the name of the "Greenwood and Augusta Railroad Company," and may organize as herein provided.

General pow-
ers.

SEC. 5. The said company, by its name above mentioned, shall have perpetual succession of members; shall hold real and personal property, may sue and be sued, may plead and be impleaded, may have and use a common seal, which they may break and use at pleasure, and make all such by-laws, rules and regulations as they may deem necessary for the well ordering and conducting the affairs of the company.

Proxy.

Election of
President and
Directors.

SEC. 6. At the first meeting of the said company, to be called by the corporators, as above stated, and at all subsequent meetings, it shall be lawful for any stockholder to be represented by proxy, whose appointment shall be in writing, signed by such stockholder; but a person not a stockholder shall not represent such proxy. A majority of two-thirds of the stockholders present, or represented by proxy, are empowered to transact any and all business connected with the company. At the first meeting of stockholders, and annually thereafter, at such time and place as may be appointed by the by-laws, they shall elect, by ballot, to serve one year, and until another election, a President and ten Directors. No person shall be elected a President or Director who is not the owner of twenty shares, which must have been held for three months prior to his election; but this does not apply to the first election herein provided for. In the election of President and Directors, in the establishment of the by-laws, and all other acts to be done by the stockholders, in their corporate capacity, each stockholder shall be entitled to one vote for every paid up share of the stock subscribed by him.

Each stock-
holder enti-
tled to one
vote per
share.

SEC. 7. That, for the purpose of acquiring such lands, or right of way, as they may require for the location and construction of the said railroad, with such depots, warehouses, stations, wharves, and other necessary establishments, or for extending or altering the same, the said company shall have every right, privilege and power heretofore granted to, and which now is, or has been used or enjoyed by,

any railroad company heretofore incorporated in either of the States aforesaid; and shall, also, be entitled to the use and benefit of every process and proceeding provided by law for enabling railroad companies, in either of the States aforesaid, to obtain such lands, or rights of way, as they require, in cases in which the consent of the owners cannot be obtained. And the said company shall have the same exclusive right of transportation on their railroad which is possessed and enjoyed by any other railroad in either of the aforementioned States. And persons trespassing, intruding, or willfully destroying any of the property of the said company, shall be liable to all penalties to which persons willfully destroying, damaging or obstructing any other railroads, or parts or parcels thereof, are made liable by any law in either of the States aforesaid. And the said company shall have the same presumptive right and title, and to the same extent, to lands through which their railroad may be built, in absence of any agreement with the proprietor or proprietors of such lands, which is possessed or enjoyed by any other railroad, in the States mentioned above, as to the lands through which their railroad may have been, or may be, constructed, in absence of any contract with the owners thereof.

A. D. 1872.

Entitled to all the rights and privileges conferred on any railroad company in the State.

SEC. 8. That it shall be lawful for the said company, to increase their capital stock to any amount not exceeding two million dollars (\$2,000,000) by receiving subscriptions for additional shares, on such terms and conditions as they may think proper to prescribe; and also to borrow money for the purposes aforesaid, on such terms, and at such rates of interest as they may think proper.

Increase of capital stock.

SEC. 9. Subscriptions to the stock of said company shall be payable by installments of five dollars (\$5) on each share, after paying first installment as aforesaid, and at intervals of not less than ninety days, under such regulations as may be prescribed by the by-laws. Public notice of the time and place of payment of each installment shall be given at least twenty days beforehand; and, in case any installment or any share shall remain unpaid for the space of thirty days after the time for payment thereof, the share shall be forfeited and vested in the said company, and the defaulting stockholder released from all obligations to pay the amount unpaid on the forfeited share. The shares of the capital stock of said company shall be personal property, and shall be assignable and transferable, in such manner, and under such regulations, as may be prescribed by the by-laws.

Subscriptions payable in installments.

Shares transferable.

SEC. 10. The President and Directors of the company shall have authority to execute all the powers hereby granted to said company, subject to such limitations and restrictions as may be imposed by the by-laws. There must be an annual meeting of the stock-

Annual meetings.

A. D. 1872.

Removal of
officers.Time for
commencing
and complet-
ing road.

holders, at such time as may be appointed by the by-laws, at which the President and Directors shall make a report, in writing, of the affairs and condition of the company, which report shall be published in a newspaper of each of the States aforesaid. Other meetings may be called by the President or Directors, when they deem it expedient, and, also, when twenty stockholders, representing three hundred shares, shall demand the same in writing. The corporators, herein appointed, shall give a written account of all funds received by them, and of the disposition of the same, at the first meeting after the ratification of this Act. It shall be lawful for the stockholders, at any meeting, to remove the President and Directors, or any of them, from office, and elect others in their stead. The President and Directors shall have authority to draw out the money deposited in bank, by the corporators, for subscription to the stock of the company: *Provided*, That the same is only used for the interest of said company.

SEC. 11. This Act shall be in force for the term of forty years from the ratification thereof, and shall be deemed, and is hereby declared, a public Act: *Provided*, That the work, for the execution whereof the said company is formed, shall be commenced within two years from the first day of January, one thousand eight hundred and seventy-two, and be completed within eight years thereafter: *And provided, further*, That said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868: *Provided*, That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

Approved March 13, 1872.

No. 171. AN ACT TO AUTHORIZE THE MAYOR AND ALDERMEN OF THE CITY OF COLUMBIA TO ISSUE BONDS, AND TO NEGOTIATE AND SELL THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mayor and Aldermen of the city of Columbia are hereby authorized and

empowered to borrow money, by issuing city bonds, from time to time, to an amount which, together with the outstanding indebtedness of the city of Columbia, shall not exceed the sum of six hundred thousand dollars, it being thereby intended that the whole indebtedness thereof, whether by bonds or otherwise, shall at no time be increased beyond the said sum of six hundred thousand dollars: *Provided*, That, before such issue, the City Council shall recall and cancel the bonds issued, to the amount of two hundred and fifty thousand dollars, issued August 21, 1871, for the erection of City Hall and Market: *And provided, further*, That no part of said bonds shall be used for the purchase of any franchise or corporation.

A. D. 1872.

Authorized
to issue
bonds.

Amount limited.

Cancellation
of certain
bonds.

Proviso.

SEC. 2. That one moiety, or half, of each issue of the said bonds, shall be of the denomination of one thousand dollars; one-fourth part thereof, of the denomination of five hundred dollars; and the remaining one-fourth part thereof shall be of the denomination of two hundred and fifty dollars, each and all of which bonds shall be signed by the Mayor of the city, and countersigned by the City Clerk and Treasurer, and sealed with the corporate seal, and numbered consecutively from one to six hundred. Each of said bonds shall be made payable at twenty years from the date thereof, and shall bear interest at the rate of seven per centum per annum, payable semi-annually, on the first day of January, and the first day of July, of each year, with corresponding semi-annual interest coupons, signed with the written signature of the said City Clerk and Treasurer.

Denomina-
tion, style and
number of
bonds.

Interest.

When pay-
able.

SEC. 3. That no bond shall be negotiated under the provisions of this Act otherwise than by public sale, notice of which sale shall be given for at least thirty days in one newspaper published in Columbia, one in Charleston, and two in the city of New York, and that the sale of all such bonds shall be made by the Treasurer of the city of Columbia: *Provided*, That all such sales and negotiations shall be conducted in accordance with such rules and regulations as the City Council may prescribe.

Manner of
sale of bonds.

SEC. 4. That the said Mayor and Aldermen shall keep a registry of all bonds heretofore issued and now outstanding, and of all bonds which shall be issued under the authority of this Act, showing the number and amount of each bond, the date when issued, and the date of maturity, which registry shall at all times be open to the inspection of any corporator, tax payer or bond holder; and, at any time, upon the written demand of the holder or holders of bonds to the amount of fifty thousand dollars, or of corporators to the number of twenty, the said Mayor and Aldermen shall publish a detailed statement of the city indebtedness and the character of the

Registry to
be kept.Publication
of city indebt-
edness.

A. D. 1872.

same, verified by the oaths of the Mayor and of the City Clerk and Treasurer.

Special tax.

SEC. 5. That, in addition to the levy of the annual taxes for the support of the city government, the said Mayor and Aldermen shall levy, annually, a special tax for the payment of the semi-annual interest upon the bonds which shall be issued under the authority of this Act, and, also, the interest upon the bonds of the city of Columbia which have been heretofore issued by authority of law: *Provided, however*, That said bonds shall not be subject to taxation by the said City Council of Columbia: *And provided, further*, That the taxes hereby authorized to be levied and collected, for the payment of the semi-annual interest on the said bonds, shall be levied and collected from such sources, upon such property, and at such rates, as are established and designated by law as sources of revenue, subjects or objects of taxation, and at rates, for the support of the said city government.

Bonds not taxable.

Tax—on what levied.

Disposition of proceeds of sale of bonds.

SEC. 6. That the said Mayor and Aldermen are hereby authorized and directed to apply the proceeds of the sale of said bonds—first, to the payment of any debts heretofore contracted, or which may hereafter be contracted, for the construction of the new City Hall and the new Market; and, secondly, for the improvement of the streets, the extension of the water works, and for any other improvements which shall be judged advisable by the said Mayor and Aldermen: *Provided*, That no part of said bonds shall be used for the purchase of any franchise or corporation.

Prohibiting increase of debt.

SEC. 7. That the said Mayor and Aldermen are hereby prohibited from increasing the debt of the city of Columbia beyond the sum mentioned in the first Section of this Act; and, upon any attempt being made so to do, any bond holder or corporate tax payer shall have his action to enjoin the said Mayor and Aldermen from so doing.

Abstract of this Act to be printed on each bond.

SEC. 8. That said Mayor and Aldermen shall cause the provisions of this Act, or an accurate abstract thereof, to be printed on the back of each bond; and, on the face of each bond, it shall be expressed that the same is issued under the authority of this Act.

Fraudulent issue of bonds—penalty for.

SEC. 9. That if the Mayor, any Alderman of the city of Columbia, or any officer thereof, shall privately or fraudulently issue any of said bonds, he shall be adjudged guilty of felony, and, upon conviction, shall be punished by fine and imprisonment, at the discretion of the Court.

Sinking fund.

SEC. 10. That, upon the completion and occupation of the said City Hall, the said Mayor and Aldermen shall, at once, by ordinance, make provision for a sinking fund, to be based upon the net annual income derived from such parts of the said City Hall as

may be leased from them, the proceeds of which sinking fund shall be solemnly set apart for the payment of the debt, and the interest thereon, contracted in the erection of the said City Hall. And, in case the said Mayor and Aldermen shall neglect so to do, it shall be lawful for any ten citizens of Columbia, being tax payers, to have an action, on behalf of themselves and all other tax payers of the said city, to compel the said Mayor and Aldermen to establish such sinking fund, and to restrain them from using or appropriating the said income in any other way, or to any other purpose, than that herein declared.

A. D. 1872.

In case of
neglect, citi-
zens to have
action.

SEC. 11. That all Acts or parts of acts, heretofore passed and now of force, authorizing the Mayor and Aldermen of the city of Columbia to borrow money upon the bonds thereof, or by issuing the stock thereof, be, and the same are hereby, repealed.

Repealing
clause.

Approved March 13, 1872.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF
GREENWOOD, SOUTH CAROLINA.

No. 172.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons having resided twelve months in the town of Greenwood, in the County of Abbeville, are hereby declared to be a body politic and corporate, by the name and style of the town of Greenwood, and its corporate limits shall be an irregular polygon, the vertices of whose angles shall be at, or near, the following points, to wit: 1st. A large pine tree near J. R. Tarrant's residence, on the Abbeville road. 2d. A point on the New Market road, in a flat just beyond James Creswell's residence. 3d. The point on the road that leads to W. A. Blake's, where the Greenville and Columbia Railroad crossed. 4. The first small branch on the New Cut road, beyond J. W. Rycard's. 5th. The hollow bridge, on the Abbeville road, just beyond J. H. Oldham's residence. 6th. The junction of the Cokesbury and Stoney Point Roads.

Corporators.

Limits of
town.

SEC. 2. The said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday in January next, and in every year thereafter, ten days' notice being previously given; and all male inhabitants of said town, who are qualified under the Constitution of this State to vote for members of the Legislature, and who have resided therein twelve months immedi-

Officers

A. D. 1872.

Electors.

ately preceding the election, shall be eligible to the office of Intendant or Wardens. Male inhabitants, who are qualified to vote for members of the Legislature, and who shall have resided within the limits of the corporation for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Election.

Managers.

SEC. 3. The election of Intendant and Wardens of the said town shall be held at some convenient public place therein, from six o'clock in the morning until six o'clock in the evening, and, when the polls are closed, the Managers shall forthwith count the votes, declare the election, and give notice in writing to the parties elected. It shall be the duty of the Clerk of the Court for Abbeville County to give legal notice and appoint the Managers for the first election. And the Intendant and Wardens, for the time being, who shall be known as the "Town Council of Greenwood," shall give the legal notice, and appoint three persons to manage all subsequent elections, who shall manage and declare the same as herein provided for the first time of election. The Managers shall, before they open the polls for any such election, take an oath fairly and impartially to conduct the same, and the Intendant and Wardens, before entering upon the duties of their office, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As

Oath of office.

Intendant and Wardens of Greenwood, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and good order, and carry into effect, according to law, the purposes for which I have been appointed or elected: So help me God." And if any person elected Intendant and Warden shall refuse to serve as such, he shall forfeit and pay to the Town Council of Greenwood the sum of twenty dollars, for the use of said town: *Provided*, That no person shall be compelled to serve more than one year in any term of three years.

Vacancy.

SEC. 4. In case a vacancy should occur in the office of Intendant or Warden, by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of the remaining members of the Town Council, ten days' previous notice having been given; and, in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall have power to elect one of their number Intendant *pro tem*.

Judicial powers.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all powers of Justices of the Peace, within the limits of said town, except for the trial of small and mean cases; and the Intendant shall, as often as he may deem necessary,

summon the Wardens to meet in Council, any three of whom shall constitute a quorum to transact business; and shall be known by the name of the "Town Council of Greenwood," as aforesaid; and they, and their successors in office, may have and use a common seal, which shall be affixed to all their ordinances; and, by their said corporate name, may sue and be sued, plead and be impleaded, in any Court of law or equity in this State. The said Town Council shall have full power, under its corporate seal, to make all such rules, by-laws and ordinances, respecting the roads, streets, markets and police of said town, as shall appear to them necessary and requisite for the security, welfare, good government and convenience of the same, and for preserving the health, peace and good order thereof; but no fine above the sum of twenty dollars shall be collected by said Council, except by suit in the Court of Common Pleas for Abbeville County: *Provided*, That no fine exceeding fifty dollars shall be imposed, and that nothing herein contained shall authorize the said Council to make any by-laws inconsistent with, or repugnant to, the laws of this State.

A. D. 1872.

Police regulations.

SEC. 6. That the Intendant and Wardens shall have the full and only power of granting licenses for billiard tables, to keep taverns, or retail spirituous liquors, within the said limits, which licenses shall be granted in the same manner, and upon the same condition, as they now are, or may hereafter be, granted by the County Commissioners under the laws of this State; and the powers vested in the County Commissioners are hereby granted to the said Intendant and Wardens within the said limits; and all money paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, within the said limits, without license, shall be appropriated to the public use of said corporation.

License.

SEC. 7. That it shall be the duty of the said Intendant and Wardens to keep all roads, ways and streets, within their corporate limits, open and in good repair; and, for that purpose, they are invested with all the powers granted to County Commissioners; and, for neglect of duty therein, they shall be liable to the same penalties as are imposed on County Commissioners. The Intendant and Wardens shall have power to compound with all persons liable to work on said roads, ways and streets, to release such persons as may desire it, upon the payment of such sum as they may deem a fair equivalent therefor, to be applied by them to the use of said corporation; and no person residing within the said limits shall be liable to work on any roads without the said limits.

Road and street duty.

SEC. 8. The Intendant and Wardens shall have power to appoint Marshals, who shall be duly sworn in, and invested with all the

Marshals.

A. D 1872.

Violation or
neglect of du-
ty—penalty.

powers Constables have by law, and whose jurisdiction and authority shall be confined within the corporate limits of said town.

SEC. 9. That, for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment, and, upon conviction, to be fined at the discretion of the Court, not exceeding one hundred dollars, and removal from office, besides being liable for damages to any person injured.

SEC. 10. All Acts and parts of Acts heretofore passed in relation to the incorporation of the town of Greenwood be, and the same are hereby, repealed.

SEC. 11. This Act shall be taken and deemed to be a public Act, and shall continue in force for the space of twenty years from and after its passage.

Approved March 13, 1872.

No. 173. AN ACT TO INCORPORATE THE ZION BAPTIST CHURCH, OF COLUMBIA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, Isaac Goodwin, A. S. Night, A. Worthy, Daniel Golden, Peter Jefferson, and all other persons who now are, or who hereafter shall or may become, members of the said church, shall be, and they are hereby declared to be, a body corporate, by the name and style of the Zion Baptist Church, and by their said name shall have succession of officers and members, and have a common seal.

Corporate
name.

General
powers.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal property, not exceeding in value the sum of twenty thousand dollars, or to sell the same; and by its corporate name to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force twenty-five years.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SUMTER LAND JOINT STOCK AND
LOAN ASSOCIATION, OF SUMTER, SOUTH CAROLINA.

A. D. 1872.

No. 174.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wesley Westbury, W. H. Gardner, A. L. Singleton, Richard Canty, Monday Douglas, Hamp Spencer, J. M. Tindal, Butler Spears, Samuel Lee, R. A. Wilson, Frank Washington, Mat. Brooks, Enoch Archey, James Jackson, Henry Cain, W. W. Ramsey, Hannibal Bennett, James Smiley, Jackson Simmons, W. E. Johnston, F. J. Moses, Jr., David Boyd, R. M. Andrews, Jack Bowen, Burrell James and Benjamin Lawson, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Sumter, or at any point within the County or State of South Carolina, and making loans of money, secured by mortgage of real estate, and by the hypothecation of bonds and stocks and other choses in action, and personal property, to its members and stockholders, by the name and style of the Sumter Land Joint Stock and Loan Association, of Sumter, South Carolina. The capital stock of said association to consist of twenty-five hundred shares; but as soon as one thousand shares shall have been subscribed thereto, the said association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments as the regulations and by-laws of said association may prescribe.

Corporators.

Purposes of
corporation.

Title.

Capital stock.

Shares—mode
of payment.

SEC. 2. That the said association shall have number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State: and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

General
powers.

SEC. 3. That the funds of said association shall be invested either in the purchase of real estate in the County of Sumter,

Investment
of funds.

A. D 1872.

South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out, or leased, or sold and conveyed to the members and stockholders of said association, upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof, upon the security, and by hypothecation of real estate in the County of Sumter, or any other sub-division of the State aforesaid, or bonds, stocks, or choses in action on personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by, and conveyed to, it; or as may be mortgaged to it by way of security upon its loans and advances; or as may be purchased by, or transferred and conveyed to, it, at sales under judgments or decrees, at law or equity, for securing or recovering, or in compromise settlement of, any debt or debts due wit; and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed expedient.

Loan of
moneys on
hand.

SEC. 4. That if any of the funds of the said association shall remain unproductive, or uninvested, or unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest, (on such security, whether of mortgage or real estate, choses in action, or other personal property) as may be agreed on, to be safely invested, to be repaid within one year.

Division and
distribution
of assets.

SEC. 5. That, whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, such stockholders, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE ABBEVILLE AGRICULTURAL SOCIETY.

A. D. 1872.

No. 175.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. Wyatt Aiken, P. H. Bradley, Wm. H. Parker, J. S. Cothran, G. McD. Miller, W. Joel Smith, F. A. Connor, James A. Reid, J. M. Latimer, D. M. Rogers, James Pratt, A. M. Aiken, M. C. Toggart, A. W. Lawson and R. A. Griffin, and their successors in office and associates, be, and they are hereby, constituted a body politic, under the name of the "Abbeville Agricultural Society," with a capital stock not exceeding five thousand dollars, in shares of ten dollars each; with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will and pleasure; to purchase and hold real estate or other property; and with all other rights, privileges and immunities that are now secured by law to incorporated bodies.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS TO DETERMINE AND PERPETUATE THE HOMESTEAD INTO ONE ACT, AND TO AMEND THE SAME.

No. 176.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever the real estate of any head of a family, resident in this State, shall be levied upon by virtue of any mesne or final process, issued from any Court upon any judgment obtained upon any right of action, whether arising previous or subsequent to the ratification of the Constitution of the State of South Carolina, if the same be the family homestead of such person, the Sheriff or other officer executing said process, shall cause a homestead, such as said person may select, not to exceed the value of one thousand dollars, to be set off to said person in the manner following, to-wit: He shall cause three appraisers to be appointed, one to be named by the creditor, one by the debtor, and one by himself, who shall be discreet and disinter-

Homestead to be set off. Value of.

Appraisers—manner of selection.

A. D. 1872.

Duties.

Assignment
to be returned
for record in
Court.

Re-appraise-
ment.

In case of
refusal to
nominate an
appraiser.

Personal prop-
erty exempt
from attach-
ment to be set
out as above.

Duty of Sher-
riff when
homestead is
worth less
than \$1,000.

Homestead—
in whom vest-
ed.

ested men, to be selected from a different neighborhood, and in no wise related to either party, resident in the County, and who shall be sworn by a Trial Justice, or a Justice of the Peace, to impartially appraise and set off, by metes and bounds, a homestead of the estate of the debtor, such as he or she may select, not to exceed the value of one thousand dollars; and the said appraisers shall proceed, accordingly, to set out the homestead, and the set-off and assignment so made by the appraisers shall be returned by the officer, along with said process, for record in Court; and if no complaint shall be made by either party within thirty days thereafter, no further proceedings shall be had against the homestead, but the residue of the lands and tenements of the head of the family, if any more or other he shall have, shall be liable to attachment, levy and sale: *Provided*, That, upon good cause shown, within thirty days after assignment of the homestead, the Court out of which the process issued may order a re-appraisement and re-assignment of the homestead, by other appraisers appointed by the Court: *And provided, further*, That should the creditors or debtor neglect or refuse, after due notice from the officer executing the process, to nominate an appraiser, then said officer shall appoint the same.

SEC. 2. Whenever the personal property of the head of any family residing in this State, whether the said person owns a homestead of real estate or not, is taken or attached by virtue of any mesne or final process issued from any Court, and said person shall claim the property, or any part thereof, as exempt from attachment and sale on account of the same being the annual product of his or her homestead, or as subject to exemption under the Constitution, and the creditor and debtor do not agree about the same, the officer executing said process shall cause the same to be ascertained, and all exempted property set out by appraisers appointed and sworn for the purpose, as provided in the preceding Section for setting out the homestead, subject to like limitations and provisions, and the residue, if any, shall be sold, for the payment of debts, which proceeding shall be stated in the officer's return of such process.

SEC. 3. That, if the homestead assigned under Section 1 of this Act shall not amount in value to one thousand dollars, then the Sheriff or other officer who shall make sale of the residue of the real estate of the person claiming the homestead shall pay to said person, in preference to all other claims, out of the proceeds of said sale, such a sum in money as will make up the one thousand dollars.

SEC. 4. That the homestead, when assigned as herein prescribed, shall vest in the heads of the family in fee simple, and be freed and

discharged from all debts and liabilities whatever, so long as he or she shall remain resident in this State, and no longer.

A. D. 1872.

SEC. 5. That the head or heads of any family to whom a homestead shall have been assigned under this Act, may sell and dispose of the same, and execute good and legal titles thereto: *Provided*, They shall deposit the money arising from the sale thereof in the custody of the Sheriff of the County, until they shall purchase another homestead within the limits of this State; the said Sheriff to be responsible for the money so deposited upon his official bond.

Sale of homestead

Proceeds deposited with Sheriff.

SEC. 6. That the said Sheriff shall not pay out the money so deposited, except to the person from whom the head or heads of the family may purchase another homestead, as hereinbefore prescribed, or so much thereof as will pay for the same. The residue of the money deposited, if any, shall then be paid to the person or persons who deposited the same: *Provided*, That if another homestead shall not be purchased, within the limits of this State, within three months from date of deposit, the Sheriff, or other officer, shall apply the money so deposited to the payment of the debts due from the depositor, if any there be.

Sheriff to pay moneys to person from whom homestead is purchased.

Proviso.

SEC. 7. That the exemptions contained in the preceding Sections of this Act shall not extend to an attachment, levy or sale on any mesne or final process issued to secure or enforce the payment of taxes or obligations contracted for the purchase of said homestead, or obligations contracted for the erection of improvements thereon: *Provided*, The Court or authority issuing said process shall certify thereon that the same is issued for some one or more, and no other, of said purposes: *Provided, further*, The yearly product of said homestead shall be subject to attachment, levy and sale, to secure or enforce the payment of obligations contracted in the production of the same; but the Court issuing the process therefor shall certify thereon that the same is issued for said purpose, and no other.

Homestead, when subject to attachment and sale.

SEC. 8. The widow and minor children of any deceased father or husband shall be entitled to the right of the homestead. When a widow or minor children are entitled to an estate or right of homestead, the same shall be set off, and the title executed to the parties entitled by the Judge of the Probate Court, who shall appoint three disinterested persons, resident in the County, who, having been duly sworn, shall proceed to appraise and set out, by mates and bounds, such homestead, and make return to him. If no complaint shall be made against said appraisal and setting out of the homestead, within thirty days thereafter, by any party interested therein, the same shall be confirmed by the Judge, and ordered accordingly.

Rights of widow and minor children.

SEC. 9. That one-third of the annual products of agricultural laborers, mechanics, artisans and tradesmen of every description,

One-third of annual products exempt from attachment and sale.

A. D. 1872.

without regard to valuation, character or condition of products or earnings, shall be exempt from attachment, levy and sale, except to enforce the payment of taxes.

SEC. 10. That no Sheriff, Constable, or other officer, whose duty it is to enforce executions, shall proceed in any other manner than is prescribed in this Act.

Penalty for
violation of
this Act.

SEC. 11. Should any officer sell any real estate, or sell or remove any personal property, of the head of any family, whether the head of such family is a freeholder or not, without his or her consent, in violation of the provisions of this Act, and of Section 32 of Article 2 of the Constitution of the State of South Carolina, he shall be deemed guilty of malfeasance in office, and, on conviction thereof, shall, for the first offense, be fined in a sum not less than five hundred (500) dollars, nor more than one thousand (1,000) dollars; and, for the second offense, shall be dismissed from office; and, in either case, shall be liable to the parties for all injuries by reason of his wrongful levy or sale.

Compensa-
tion of Ap-
praisers and
Trial Justices.

SEC. 12. Appraisers appointed to set out the homestead, under this Act, shall receive, as compensation, two dollars each, per day, and five cents a mile for every mile necessarily traveled, for such services. The Trial Justice, or Justice of the Peace, who qualifies the appraisers, shall receive seventy-five cents, and five cents a mile for every mile necessarily traveled, for such services. The foregoing fees shall be paid by the officer executing the process out of the property of the debtor; or, in case of the homestead set out to a widow or minor children, out of the estate of the deceased, by the executor or administrator thereof. The Sheriff is hereby authorized to retain two and one-half per cent. on every one hundred dollars deposited with him, as directed by this Act, as compensation for receiving and paying out moneys so deposited.

Fees, by
whom paid.

SEC. 13. All Acts or parts of Acts inconsistent with this Act, or supplied by it, be, and the same are hereby, repealed.

Approved March 13, 1872.

NO. 177. AN ACT TO EXEMPT THE KEEPERS, EMPLOYEES AND OTHER OFFICERS OF THE SOUTH CAROLINA PENITENTIARY AND LUNATIC ASYLUM FROM MILITARY AND OTHER DUTIES.

Exempt from
jury, military
and street
duty.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, all guards, keepers, employees and other officers that

are now, or may hereafter be, employed at the South Carolina Penitentiary and Lunatic Asylum, shall be exempted from serving on juries, and from military, road or street duty.

A. D. 1872.

Approved March 13, 1872.

AN ACT FOR THE PROTECTION OF BUOYS AND BEACONS.

No. 178.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, Any person or persons who shall moor any vessel, scow, boat or raft to any buoy, or beacon, or floating guide, placed by the United States Light House Board in the navigable waters of this State, or who shall, in any manner, make fast thereto any vessel, boat, scow or raft; and any person or persons who shall wilfully destroy, injure, or remove any such beacon or guide, shall forfeit and pay a sum not exceeding one hundred dollars, or be imprisoned in the common jail not exceeding three months.

Penalty for disturbing or injuring beacons or guides.

SEC. 2. Said forfeitures may be recovered by an action of tort, complaint or indictment, before any Court competent to try the same; one-half accruing to the informer or complainant, and the other half to the County in which the trial shall be had.

Forfeitures—how recovered.

Approved March 13, 1872.

AN ACT TO SUPPLY THE DEFICIENCY IN THE APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF FREE COMMON SCHOOLS FOR THE FISCAL YEAR ENDING OCTOBER 31, 1871. No. 179.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of seventy-five thousand dollars (\$75,000) be, and the same is hereby, appropriated to supply the deficiency in the appropriation for the support and maintenance of Free Common Schools for the fiscal year ending October 31, 1871.

Amount appropriated.

SEC. 2. That each of the several Counties of the State shall be entitled to receive from said deficiency appropriation such a sum of money as is equal to the exact deficiency existing in the Free

Each County to receive exact amount of deficiency.

A. D. 1872. School Funds of said County, for the fiscal year ending October 31, 1871, and no more.

Superintendent of Education to issue an order in favor of County Treasurers.

SEC. 3. That the State Superintendent of Education, upon his receipt of an official statement, signed by the County School Commissioner and County Treasurer of any County, and showing the deficiency existing in the Free School Funds of said County, for the fiscal year ending October 31, 1871, shall, if he approve said statement, issue an order in favor of the County Treasurer of the County aforesaid, payable from the appropriation made by Section 1 of this Act, for a sum of money equal to the deficiency shown by the aforesaid statement.

Appropriation to be disbursed only on his order.

SEC. 4. That no part of the appropriation created by Section 1 of this Act shall be disbursed by the State Treasurer, except upon order of the State Superintendent of Education, nor shall the said appropriation, or any part thereof, be applied, appropriated or used for any other purpose than is specified by the terms of this Act.

SEC. 5. That this Act shall be deemed a public Act, and shall take effect immediately.

Approved March 13, 1872.

No. 180. AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF LOWNDESVILLE, ABBEVILLE COUNTY, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Lowndesville, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Lowndesville, and its corporate limits shall extend in every direction one-half mile within its present limits, to be fixed as a centre by a majority of the inhabitants of said village.

Corporate limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have resided in this State twelve months, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in September, 1872, and every year thereafter, on the first Monday in April, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of

Electors.

the State, and who shall have resided in this State twelve months, and in said town for sixty days immediately preceding the election, shall be entitled to vote for Intendant and Wardens.

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SEC. 3. That the election for Intendant and Wardens of said town shall be held in some convenient house, or some other convenient public place in the said town, from six o'clock A. M., until six o'clock P. M., and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens shall appoint three Managers to hold the ensuing and any subsequent election. Whenever there shall not be an Intendant and Wardens, or Intendant and Warden, from any cause whatever, it shall be the duty of the Clerk of Court of Abbeville County to order such election forthwith, and appoint three Managers for the same. The Managers in each case shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Lowndesville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the first Monday in April ensuing, and until their successors shall be elected and qualified.

Election.

Managers.

Oath of office.

Term of office.

SEC. 4. That if in any case a vacancy shall occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of Intendant and Wardens, (or Warden, as the case may be,) or the Clerk of Court of Abbeville County, if there should be no Intendant or Wardens, ten days' notice thereof being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Vacancy.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the power and jurisdiction of Magistrates within the limits of said town, and the Intendant shall, and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the

Judicial powers.

A. D. 1872.

Town Council of Lowndesville; and they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town, as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof; which persons, so appointed, shall, within the limits of said town, have the powers, privileges and emoluments, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be removed at the pleasure of the said Town Council; and the said Town Council shall have power to establish, or to authorize the establishment of, the market house in said town; and the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house, and the business thereof, and the police system of said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Council shall have the same power which Magistrates now have to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for a violation of any of these by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in the Court of Common Pleas: *And provided, also,* That no fine shall exceed fifty dollars, and, also, that nothing herein contained shall authorize the said Council to make any by-laws or ordinances inconsistent with, or repugnant to, the laws of this State; and all the by-laws, rules and ordinances the said Council may make shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

Marshals.

Police regulations.

Fines.

Nuisances.

Road and street duty.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town; and it shall, also, be their duty to keep all roads, ways and streets, within the corporate limits of the said town, open and in good repair; and, for that purpose, they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law: *Provided,* That the said Town Council may

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compound with persons liable to perform such duty, upon such terms, and on the payment of such sums, as may be established by laws or ordinances: *And provided, also,* That the individuals who compose the said Town Council shall be exempt from the performance of road and police duty; and the inhabitants of said town are hereby exempt from road and police duty without the corporate limits of said town.

SEC. 7. That the power to grant or refuse license for billiard tables, to keep tavern, or retail spirituous liquors within the limits of said corporation, be, and the same is hereby, vested in the Town Council of Lowndesville. And the said Town Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Council may deem just, and proper. And the said Intendant and Wardens shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the city limits. And all money paid for license for retailing spirituous liquors, keeping taverns and billiard tables, and the tax for all shows for gain or reward, within said limits, shall be appropriated to the public use of said corporation: *Provided,* That in no instance shall the price of a license to keep tavern or retail spirituous liquors be less than the amount that is established by the State: *And provided, further,* That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or retail spirituous liquors to extend beyond the term for which they have been elected.

Licenses.

SEC. 8. That the said Town Council of Lowndesville shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the Town Council. And for default or refusal to make and keep in repair such sidewalks, the Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing: *Provided,* That such contracts for making or repairing be let to the lowest bidder.

Sidewalks.

SEC. 9. That the said Town Council of Lowndesville shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine not exceeding twenty dollars, or, in lieu thereof, to work the public roads, streets, bridges, &c., within said corporate limits, twenty days, any person or persons who may be guilty of disorderly conduct in said town, to the annoyance of citi-

Power to arrest and commit to jail.

A. D. 1872.

zens thereof; and it shall be the duty of the Marshal of the town to make such arrests, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to perform such duty, he shall be fined in a sum not more than twenty dollars, for each and every offense.

Annual taxation.

SEC. 10. That the said Town Council of Lowndesville shall have power to grant or refuse licenses to parties within the limits of said town, and the parties to whom such licenses are granted shall be subject to such regulations as may, by ordinance, be established. They shall also have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed, in any one year, to exceed the rate of ten cents on each hundred dollars of such assessed property; and that the money so raised shall be applied to the use of said town. The said Town Council shall have power to enforce the payment of all taxes levied by said Town Council, to the same extent and in the same manner as is now, or hereafter may be, provided by law for the collection of the general State taxes.

Sales at auction.

SEC. 11. That the said Town Council of Lowndesville shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: *Provided*, Nothing herein contained shall extend to sales by Sheriff, Clerk of the Court, Judge of Probate, Coroner, Executor or Administrator, Assignee in Bankruptcy, or by any other person out of the order or decree of any Court, Justice of the Peace or Magistrate,

SEC. 12. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

No. 181. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE ROMAN CATHOLIC CHURCH, OF SAINT MARY'S, CHARLESTON.

Extension of charter.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the Roman Catholic Church, of Saint Mary's, Charleston, be, and the same is hereby, extended and continued until repealed, with all the rights, powers and privileges heretofore granted; and the official transactions of the vestry and corporators of the said Church, since the expiration of its charter, so far as consistent

with the powers granted thereby, shall be legal and valid to all intents and purposes.

A. D. 1872.

Approved March 13, 1872:

AN ACT RELATIVE TO THE FEES OF THE STATE LAND COM- No. 182.
MISSIONER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all fees which have been collected of actual purchasers or settlers upon the State lands, in the different Counties of the State, by the State Land Commissioner, or under his direction, by his sub-assistants or agents, which fees have been by him appropriated to his own use or profit, the same shall, in the aggregate, be deducted from his salary, if not yet paid, or if his salary has been paid, the same shall be refunded to the Treasury of the State, within thirty days from the passage of this Act; and, if not refunded within that time, the surety or sureties of the said Land Commissioner shall be jointly and severally liable for the payment of said amount.

Land Commissioner to refund all fees collected from settlers on State lands.

SEC. 2. That in all cases where the sum of ten dollars, or any other amounts, have been collected from the actual settlers upon, or purchasers of, the State lands, by order of the Land Commissioner, through his sub-assistants, or otherwise, as fees for titles, or other papers, the same shall be credited to the said settlers, or purchasers, as part payment for the said land.

Moneys collected as fees to be applied in payment of principal.

Approved March 13, 1872.

AN ACT TO AMEND AN ACT, PASSED AT THE PRESENT SES- No. 183.
SION, ENTITLED "AN ACT TO REVIVE AND EXTEND THE CHAR-
TER OF THE RELIEF LOAN ASSOCIATION, OF CHARLESTON."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the first Section of the Act to revive and extend the charter of the Relief Loan Association, of Charleston, be so amended as to read: "Passed on the twen-

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ty-first day of December, in the year of our Lord, one thousand eight hundred and fifty-seven," instead of the "twentieth day of December, in the year of our Lord, one thousand eight hundred and fifty-six."

Approved March 13, 1872.

No. 184. AN ACT TO INCORPORATE THE UNION BAPTIST CHURCH, OF LAURENS COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all persons who now are, or who hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated, and are declared to be a body corporate, by the name and style of the Union Baptist Church, and, by the said name, shall have succession of officers and members, and have a common seal.

Powers and
privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of twenty thousand dollars, or to sell the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws (not repugnant to law) as may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

No. 185. AN ACT TO INCORPORATE THE DARLINGTON LAND JOINT STOCK AND LOAN ASSOCIATION, OF DARLINGTON, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard H. Humbert, T. C. Cox, S. J. Keith, J. A. Smith, William Braley, J. A. Williamson, P. C. Fludd, Alfred Hart, Edward Mickey, A. P. Ford, Richard Ford, F. J. Pugh, Adam Briston, Wm. Grant, J. D. Warley, A. L. Singleton and J. W. Thomas, together with such other persons as now are, or hereafter may be, associated with them,

be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Darlington, or at any point within the County, or the State of South Carolina, and making loans of money, secured by mortgages of real estate and the hypothecation of bonds, stocks, and other choses in action, and personal property, to its members and stockholders, by the name and style of the Darlington Land Joint Stock and Loan Association, of Darlington, South Carolina. The capital stock of said association to consist of five thousand shares, of the value of twenty-five dollars per share; but as soon as two thousand shares shall have been subscribed thereto, the said association shall organize and commence operations, said shares to be paid by successive monthly installments of one dollar on each share so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

A. D. 1872.

Objects of
corporation.Corporate
name.

Capital stock.

SEC. 2. That the said association shall have number and succession of officers and members as shall be ordained and chosen, according to the rules and by-laws made, or to be made, by them for their government, and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and the laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

General pow-
ers.

SEC. 3. That the funds of the said association shall be invested either in the purchase of real estate, in the County of Darlington, South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out or leased, or sold and conveyed, to the members and stockholders of said association upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof, upon the security and by hypothecation of real estate in the County of Darlington, or any other sub-division of the State aforesaid, or bonds, stocks or choses in action on personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by, and conveyed to, it; or as may be mortgaged to it, by way of

Investment
of funds.

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security, upon its loans and advances; or as may be purchased by, or transferred and conveyed to, it, at sales under judgments or decrees, at law or equity, for securing or recovering, or in compromise settlement of, any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed expedient.

May loan out moneys on hand.

SEC. 4. That if any of the funds of the said association shall remain unproductive, or uninvested and unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest (on such security, whether of mortgage of real estate, choses in action, or other personal property,) as may be agreed on, to be safely invested, to be repaid within one year.

Division and distribution of assets.

SEC. 5. That whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, such stockholders, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That, in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond twenty years.

Penalty for misappropriating moneys of Association.

SEC. 6. That if any officer or sub-officer of the said association shall use the moneys of said association, other than those prescribed by this Act, he shall, on proof thereof, be deemed guilty of a misdemeanor, and sentenced to pay a fine of twice the amount of money so appropriated, and imprisonment for a term of not less than six months.

SEC. 7. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved March 13, 1872.

No. 186.

AN ACT TO INCORPORATE THE TOWN OF NINETY-SIX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the town of Ninety-Six, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called

Corporators.

and known by the name of Ninety-Six, and its limits shall be deemed and held to extend one half a mile in each direction from the Greenville and Columbia Railroad Depot, at said place.

A. D. 1872.

 Corporate
 limits.
 Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1872, as well as on the first Monday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof, in writing, being previously given; and that all the male inhabitants of said town, of the age of twenty-one years, who have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from seven in the morning, until six o'clock in the evening, when the poll shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State, and the following oath, to wit: "As Intendant (or Warden) of Ninety-Six, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

Electors.

Election.

Managers.

Oath of office.

SEC. 3. That in case a vacancy shall occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held, by appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' public notice thereof, as aforesaid, being given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Vacancy.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justice and Justice of the Peace in this State, in matters civil and criminal, within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Ninety-Six; and they

Judicial powers.

A. D. 1872:

Marshals.

Police regulations.

Nuisances.

Road and street duty.

May hold and dispose of property.

and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and Constables as they shall deem expedient and proper, which officer shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations by the laws of this State, for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances, respecting the streets, ways, public wells, springs of water, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars. All fines may be collected by an action for debt, before a proper tribunal.

SEC. 5. That the said Council shall have power to abate or remove nuisances within the limits of said town, and also to classify and arrange the inhabitants liable to public duty, and require them to perform such duty as occasion may require, and enforce the performance of the same, under the same penalties as are now, or hereafter may be, established by law: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with the persons liable to perform such duty, under such terms as they shall, by ordinance, establish.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the Commissioners of Roads within the limits of said town; and, for neglect of duty, they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect; and they are hereby individually exempt from the performance of road and public duty; and the inhabitants of said town are hereby exempt from road duty without the limits of said corporation.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways, and to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation.

SEC. 8. That the said Town Council of Ninety-Six shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given,

bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held, or stock invested, shall, in no case, exceed the sum of twenty thousand dollars.

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SEC. 9. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifteen cents on the one hundred dollars.

Annual taxation.

SEC. 10. That the Intendant and Wardens of the town of Ninety-Six shall have power to regulate sales at auction within the limits of said town, and grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Courts, Judge of Probate, Coroners, Executors, Administrators, Assignees, or by any other person under the order of any Court or Magistrate.

Sales at auction.

SEC. 11. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in the said town of Ninety-Six, to keep in repair the sidewalks adjacent to their lots, respectively, and, for default in this matter, shall have power and authority to impose a fine not exceeding fifteen dollars.

Sidewalks.

SEC. 12. That the authority to refuse or grant licenses to keep a tavern or retail intoxicating drinks be, and the same is hereby, vested in the Town Council of Ninety-Six; and that they be also invested with all the necessary power, by ordinance or ordinances, to suppress or regulate the sale of intoxicating drinks, to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or out-houses of the said town, or within half a mile of the Greenville and Columbia Railroad Depot, in said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until amended or repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE PEOPLE'S SAVINGS INSTITUTION.

No. 187.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alva

A. D. 1872. Corporators.	Gage, R. Tomlinson, G. I. Cunningham, C. H. West, R. S. Bruns, S. S. Howell, B. C. Pressley, J. H. Wilson, W. Ufferhardt, J. B. Betts, C. L. Burckmeyer, John Hauckel, John H. Dèveaux, W. McBurney, W. Y. Leitch, R. Adger, Zimmerman Davis, W. A. Kelly, D. A. Amme, H. Gerdts, H. S. Griggs and O. R. Levy, be, and they are hereby, created a corporation, by the name and title of the People's Savings Institution ; and that they and such others as shall be duly elected members of said corporation, as in this Act provided, shall be a body politic and corporate, by the same name and title.
Title.	
Deposits.	SEC. 2. That the said corporation shall be capable of receiving, on deposit, from any person or persons disposed to obtain and enjoy its advantages, all sums of money that may be offered for that purpose ; and on receipt of any deposit, it shall deliver to the depositor a book, in which shall be entered all sums deposited.
Investment of deposits.	SEC. 3. That all deposits of money received by the said corporation may be invested in any public stock or bonds, created by virtue of any law of this State, or any ordinance of the city of Charleston, or in the capital stock of any bank within this State, or in United States bonds or stock, or bonds or stock of any city or State in the United States, or in the stocks or bonds of any railroad company incorporated in this or any other State, or loaned on promissory notes, secured by pledge of such stocks, at not more than seventy-five per centum of their par value, or on bonds secured by mortgage of real estate, lying and being within the Parishes of St. Philip and St. Michael, in the County of Charleston ; and the income and profit thereof shall be applied and divided among the persons making the said deposits, or their legal representatives, after making such reasonable deductions as may be necessary for expenses, in proportion to the sums by them deposited, and to the length of time during which such deposits may have remained in the institution ; and the principal of such deposits shall be repaid to each depositor at such times, and under such regulations as the said corporation shall prescribe, the substance of which regulations shall be printed in the book of deposit received by each depositor : <i>Provided</i>, That the corporators in the said corporation shall be liable to the amount of their respective share or shares of stock in said Banking Institution for all its debts and liabilities upon note, bill or otherwise : <i>And provided, further</i>, That no Director, or other officer of said corporation, shall borrow any money from said corporation ; and if any Director, or other officer, shall be convicted, upon indictment, of directly or indirectly violating this Section, they shall be punished by a fine or imprisonment at the discretion of the Court.
Division of profits.	
Liability of corporators.	

SEC. 4. That the said corporation shall have power to elect new members by ballot at their semi-annual meetings in January and July each year; and any member, upon filing a written notice with the President thereof, three months prior, may, at any such meeting of said corporation, withdraw and forever dissolve his connection with the same.

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New members.

SEC. 5. That the said corporation may have a common seal, which they may change and renew at pleasure; and that all deeds, conveyances and grants, covenants and agreements made by their Treasurer, or any other person, by their authority and direction, according to their rules, shall be good and valid; and the corporation shall, at all times, have power to sue and be sued, and may defend, and shall be held to answer by the name and title aforesaid; and may acquire, take, hold and convey such real estate as may be deemed desirable for its place of business, or necessary for it to purchase in foreclosing or settling such mortgages as it may hold as security for loans.

General powers.

SEC. 6. That the said corporation shall hereafter meet at Charleston, some time in the month of January, annually, and as much oftener as they may deem expedient; and any seven members of the said corporation, the President, Vice-President, Secretary or Treasurer being one, shall be a quorum; and the said corporation, at their annual meetings in January, shall have power to elect a President, Vice-President, Secretary and Treasurer, and twenty Trustees, all of which said officers shall be sworn to the faithful performance of their duties, and shall hold their offices and manage and direct the affairs of the said corporation until their successors shall be duly elected and qualified.

Annual meetings.

Election of officers.

SEC. 7. That the said corporation are hereby vested with the power of making by-laws and regulations for the more orderly managing the business of the corporation: *Provided*, The same are not regugnant to the Constitution and laws of this State.

By-laws and regulations.

SEC. 8. That any two persons herein named may call the first meeting of the corporation, by advertising it in any two of the daily papers published in the city of Charleston.

First meeting—by whom called.

SEC. 9. That the Treasurer of said corporation shall give bond to the satisfaction of the Trustees for the faithful discharge of the duties of his office.

Treasurer to give bonds.

SEC. 10. That the Treasurer of said corporation shall, as soon as may be, after the annual meeting in January, publish in one or more of the daily papers of the city of Charleston, a statement of the concerns of the said corporation, which statement shall specify the following particulars, namely: Number of depositors, total amount of deposits, amount invested in bank stock, amount in-

Publication of annual statement.

A. D. 1872.

vested in State or city stock, amount invested in United States bonds or stock, amount invested in railroad stocks or bonds, loans on mortgages of real estate, loans on notes secured by pledge of stock, amount of cash on hand, total dividends for the year, annual expenses of the corporation; all of which shall be certified and sworn to, or affirmed, by the Treasurer; and five or more of the Trustees of said corporation shall also certify that the same is correct, according to the best of their knowledge and belief.

SEC. 11. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 13, 1872.

No. 188. AN ACT TO INCORPORATE THE CITIZENS' BUILDING AND LOAN ASSOCIATION, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William B. Heriot, Hutson Lee, B. S. Rhett, H. L. P. McCormick, William B. Steedman, William Thayer, L. D. Mowry, T. A. Wilber and V. J. Thomas, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Charleston, South Carolina, and making loans of money, secured by mortgages of real estate and the hypothecation of bonds, stocks and other choses, and personal property, to its members and stockholders, and others, by the name and style of the "Citizens' Building and Loan Association, of Charleston." The capital stock of said association to consist of two thousand five hundred shares; but, as soon as one thousand shares are subscribed thereto, the said association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from

time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

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SEC. 3. That the funds of the said association shall be invested, either in the purchase of real estate in the County of Charleston, South Carolina, which shall be rented out or leased, or sold and conveyed to the members and stockholders of said association, upon such terms and conditions and estates as, from time to time, may be prescribed by its rules and by-laws; or be loaned out and advanced to the members and stockholders thereof, upon the security and hypothecation of real estate in Charleston aforesaid, or bonds, stocks or choses in action, or personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements, hereditaments and appurtenances as may be *bona fide* purchased by and conveyed to it, or as may be mortgaged to it by way of security upon its loans and advances, or as may be bought by or transferred and conveyed to it at sales under judgments or decrees at law or equity for securing and recovering, or in compromise settlement of any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage or otherwise dispose of the same, from time to time, and whenever deemed necessary and expedient. The stockholders in this association shall be severally liable for all debts and obligations created or contracted by the association to an amount double the amount of their stock.

Investment
of funds.Liability of
stockholders.

SEC. 4. That, if any of the funds of the said association shall remain unproductive, or uninvested, and uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest as may be agreed on, to be safely invested, and to be repaid within one year.

May loan
out moneys
on hand.

SEC. 5. That, whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made,

Division and
distribution
of assets.

A. D. 1872.

then the said association shall cease and determine: *Provided, however, That, in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.*

SEC. 6. That this Act shall be deemed a public Act, and be given and received in evidence, without being specially pleaded.

Approved March 13, 1872.

No. 189.

AN ACT TO CHARTER THE VILLAGE OF LISBON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all and every person or persons who shall have resided in the corporate limits of the village of Lisbon, in the County of Darlington, State of South Carolina, for two months, are hereby declared to be members of the corporation hereby to be created. That the said persons shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the village of Lisbon, and its corporate limits shall extend one-half mile from "cross-roads," so-called, in every direction.

Corporate limits.

Entitled to powers conferred by charter on town of Florence.

SEC. 2. That the powers and duties of the officers of the village, the government of the same, and all things pertaining to the charter of said village, shall be the same as provided for in an Act entitled "An Act to incorporate the town of Florence," approved March 9, 1871, excepting only the corporate limits.

SEC. 3. This Act shall be deemed a public Act, and continue in force until amended or repealed.

Approved March 13, 1872.

No. 190. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RE-NEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 12 of an Act entitled "An Act to grant, renew and amend the char-

ters of certain towns and villages therein mentioned," be amended by inserting between the words "officers," on the ninth line, and "the," on the tenth line, the following: "And the said Intendant and Wardens shall have the power to bring before them, when sitting in Council, all offenders against the by-laws and ordinances of the said town, and to punish, by fine, the same; and, in case such person so fined shall fail to pay the same, the said Intendant and Wardens shall have power to compel the offender to work upon the public roads or streets, allowing them a fair valuation for such work, until the fine be cancelled."

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Punishment of offenders.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of the above Act, be, and the same are hereby, repealed.

Approved March 13, 1872.

AN ACT TO ESTABLISH A CAUSEWAY OVER BIG SALTKEHATCHIE SWAMP, AT WALNUT POINT, CONNECTING THE COUNTIES OF COLLETON AND BEAUFORT.

No. 191.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, on and after the passage of this Act, it shall be competent for the parties hereinafter named to establish and construct a good and substantial causeway across Big Saltkehatchie Swamp, at Walnut Point, connecting the Counties of Colleton and Beaufort.

Causeway across Big Saltkehatchie Swamp.

SEC. 2. That the causeway hereby authorized to be established be, and the same is, vested in C. F. Petit, G. W. Petit, John Burnett and Wm. Nettles, and their associates and successors, for the term of fourteen (14) years: *Provided*, Said company, or corporation, shall comply with the requirements hereinafter named.

In whom vested.

SEC. 3. That it shall be the duty, and it is hereby made one of the provisions of this charter, that the causeway herein contemplated to be established shall be constructed within twelve months from the passage of this Act; shall be built of good and sound material, and always be kept in good repair, and shall be, when constructed, at least twelve (12) inches above tide water, and its abutments be of such a character as to resist, in the event of a freshet, its being washed away; and for the better carrying out of this provision, it is hereby made the duty of the Commissioners of Roads of the Counties hereinbefore named, to inspect said causeway

When to be completed.

Manner of construction.

Duty of Commissioners of Roads.

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Rates of toll.	SEC. 4. They shall be authorized to ask, demand and receive for crossing the said causeway, when completed, the following rates of toll: For each foot passenger, the sum of five cents; each passenger on horseback, ten cents; each carriage or vehicle drawn by one horse, twenty cents; each carriage or vehicle drawn by two horses, thirty cents; each carriage or vehicle drawn by four horses, fifty cents; each loose horse or mule, five cents; each head of cattle, goats, sheep or hogs, two cents: <i>Provided, however,</i> No toll shall be exacted from a minister attending his circuit, officers in the discharge of their duties, voters attending the poll, and children going and returning from school.
Persons exempted.	

Approved March 13, 1872.

No. 192. AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF THE SULLIVAN'S ISLAND FERRY COMPANY, AND TO MODIFY THE CHARTER OF THE MOUNT PLEASANT FERRY COMPANY, AND FOR OTHER PURPOSES.

Corporators.	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Douglass Nesbitt, John B. Conner, D. F. Fleming, Henry Jones, William Gregg, Charles J. Andell, W. R. Jervy, and such other persons as may become members, be, and they are hereby, declared a body politic and corporate, by the name of the Sullivan's Island Ferry Company, for the purpose of conveying passengers and transferring goods, wares and merchandise between the city of Charleston and Sullivan's Island, in the County of Charleston, and between the said city and any other place or places; and by that name may sue and be sued, plead and be impleaded, in any Court in this State; may have a common seal; may purchase, hold and convey real estate to any amount not exceeding forty thousand dollars; and may have and enjoy all the rights, powers and privileges incident to a corporation.
Purpose of corporation.	
Powers.	
Capital stock.	SEC. 2. That the capital stock of said company shall be thirty thousand dollars, with a privilege of increasing the same, from time to time, to any amount not exceeding one hundred thousand dollars. And every member of the said company shall be individually liable for all debts contracted during the time he or she shall be a member
Liability of members.	

or shareholder in the said company to the extent of the par value of his or her shares in the same, and shall be answerable in any action at law therefor against him or her, notwithstanding the non-joinder of the other shareholders or any of them, at any time after the return of *nulla bona* may have been made by the Sheriff of Charleston County, upon any execution issued against the said company. But nothing herein contained shall be construed to deprive any of the shareholders of any equitable rights against the creditors or the other shareholders of the said company.

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SEC. 3. That the first meeting of the said corporation may be called by the persons, or a majority of them, named in this Act, at such time and place as they may think fit, after due public notice thereof. And at said meeting, or any subsequent meeting, said corporation may make, alter, amend or repeal such by-laws and regulations for the organization of the same, and the management of the business thereof, as a majority of the stockholders may direct: *Provided*, The same be not inconsistent with, or repugnant to, the Constitution and laws of this State, or the United States.

Meetings.

By-laws and regulations.

SEC. 4. That this Act shall be taken and deemed to be a public Act; shall be and continue of force for the term of fourteen years.

SEC. 5. That the several Acts of December 20, 1856, and of December 21, 1865, relating to the charter of the Mount Pleasant Ferry Company, be, and the same are hereby, repealed; and all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE FARMERS', LABORERS' AND MECHANICS' LAND COMPANY, OF ORANGEBURG COUNTY, SOUTH CAROLINA.

No. 193.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Moore, Henry Wallace, J. L. Jamison, E. J. Cain, Isaac Speaker, Christian Green, T. C. Andrews, B. Byas, George Bolivar, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Farmers', Laborers' and Mechanics' Land Company, of Orangeburg County, South Carolina."

Corporators.

Corporate name.

A. D. 1872.

Powers and
privileges.

SEC. 2. That the said corporation hereby created and established shall have power to make such by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State; and to have and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be, in any manner whatsoever, acquired by the said corporation: *Provided*, The amount so held shall not exceed the sum of one hundred thousand dollars.

Investment
of its funds.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets and all other property, stocks, public or private, notes, bills, bonds, with or without security, by mortgage of real or personal property, or by surety, in such sums, and on such terms and conditions, as they may deem proper; and it shall be lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer all of its property, real and personal, as and when it may deem proper and expedient; and to make and execute bonds, under their corporate seal, with or without mortgage, for the purchase of real or personal property.

Liability of
corporators.

SEC. 4. That the real and personal property of each corporator shall be liable for the debts of said corporation, in any amount not exceeding the par value of the stock held by him.

SEC. 5. That this Act shall continue in force until repealed, and the same shall be deemed a public Act, and may be given in evidence without being specially pleaded.

Approved March 13, 1872.

No. 194. AN ACT TO CHARTER THE UNION SAVINGS BANK, OF COLUMBIA, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. L. Leaphart, John Meighan, J. P. Southern, G. M. Walker, Wm. Glaze, Richard Wearn, W. B. Nash, Wm. Simons, James Davis and Geo. Symmers, together with such other persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the Union Savings Bank, of Columbia, South Carolina; and, by that name and style, shall be, and is hereby, made capable in law to have, purchase, enjoy and retain, to it and its successors, lands,

Corporate
name.Powers and
privileges.

A. D. 1872.

rents, tenements, goods, chattels and effects, of whatever kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of Record, or any other place whatsoever; and, also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this State, or the Constitution thereof.

SEC. 2. The capital stock of said corporation shall not be less than twenty thousand dollars, which may be increased from time to time to a sum not exceeding five hundred thousand dollars, and shall be paid in and accumulated as hereinafter provided. Capital stock.

SEC. 3. The said corporation shall have power and authority to invest its capital stock, or other funds, in bank or other stocks, in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company; to lend money upon personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange or other evidences of debt. Investment of funds.

SEC. 4. The said corporation shall receive deposits from any person or persons, and all such deposits shall be invested as the Board of Directors may deem most advantageous, and in accordance with Section third, and interest shall be allowed to the depositors thereof as may be directed or provided for by the by-laws of the institution. Deposits.

SEC. 5. Each subscriber to stock in this bank shall, on or before the fifth day of each month, pay, at the office of the bank, one dollar per share of his or her subscription, and any subscriber failing to do so, shall be fined five cents per share for such delinquency, and, for each succeeding ten days of such delinquency, ten cents per share additional; and if, at the expiration of two months, such delinquency shall still exist, the stock shall be sold at public auction, the proceeds of which shall be paid to such delinquent stockholder, after deducting all fines that may be charged against him, and his proportion of all losses sustained, and expenses incurred by the institution in the course of its business. Monthly payment on shares.

SEC. 6. As soon as the stock becomes of the value of one hundred dollars per share, scrip shall be issued to each stockholder for the number of shares standing in his or her name, on the books of the institution, signed by the President and Cashier, with the corporate Issue of scrip.

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seal of the bank affixed, from which time the payment of monthly installments shall cease.

Withdrawal
of stockholders.

SEC. 7. Any stockholder, at any time prior to the stock becoming of the value of one hundred dollars per share, may withdraw from the institution, upon written notice being given at any regular meeting of the Board of Directors, and at the expiration of ninety days the institution shall pay to said stockholder the actual value of his or her stock at the date of notice of withdrawal, the monthly installments of such stockholder ceasing from date of said notice; or said stockholder may sell his or her interest to any other person, the purchaser being placed on an equality with the other stockholders.

Actual value
of stock de-
fined.

SEC. 8. By actual value of the stock is meant the amount paid in by each stockholder, together with his or her proportion of any profits, and deducting therefrom his or her proportion of any losses that may have occurred, and withholding his or her proportion of any investments about which the Board of Directors may be doubtful, until they are satisfied.

Dividends.

SEC. 9. As soon after the stock becomes of the value of one hundred dollars per share, and scrip is issued therefor, the Directors may make dividends at such times, and of so much of the profits of the bank, as shall appear to them advisable.

President and
Directors.

SEC. 10. There shall be elected, as soon after the ratification of this Act as the corporators and subscribers may deem advisable, and, annually thereafter, seven Directors from their number, who shall appoint one of their number President, and may fill any vacancy occurring in the Board, unless it be by removal, in which case the members shall fill the same in general meeting. The Board shall appoint (to hold at its pleasure) the subordinate officers and agents, prescribe their duties and compensation, and take from them such bonds, with security, as it may deem advisable.

Subordinate
officers.

Meetings.

SEC. 11. It shall be competent, at any general meeting of the stockholders, to change the time of holding the annual meetings; and extra meetings may be called at any time, upon a written application to the Board of Directors, signed by stockholders representing not less than one-half of the capital stock; and at all meetings of stockholders, each share shall entitle its holder to one vote, and a representation of a majority of the entire stock by the holders, in person, or by their proxies, shall be requisite to constitute a quorum.

Manner of
voting.

Special
powers.

SEC. 12. The said company is hereby declared to be capable in law of holding and exercising the office of executor, by appointment of any testator; the office of administrator of the testator, or intestate, by appointment of the Court of Probate; the office of guardian, or other trustee, of any estate, which may be held in trust,

by appointment of any person or Court of competent authority to make such appointment; and the office of trustee under any mortgage; and in any such case the said company, or executor, administrator or trustee, shall be subject to the same measure of accountability, and to the same rules and regulations of law, which pertain to such trusts when held and exercised by natural persons, except that in lieu of any bond to be required of said company for the administration of any trust, the capital stock and other assets of the company shall stand pledged for the faithful discharge of any such trust.

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SEC. 13. The said corporation shall have authority to establish branch offices at such points in this State as the Directors may elect: *Provided*, That the business transactions at such branch offices shall constitute a part of the general business of the bank, and shall be reported to the office in Columbia, at least once every month.

SEC. 14. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading; and the charter hereby granted shall be in force from its passage, and continue in force for a period of thirty years.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE GETHSEMANE BAPTIST CHURCH, No. 195.
OF CHESTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. Barney Humphries, Willis Blackwell, Edward Allen, James Smith, James Williams, and their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Gethsemane Baptist Church, of Chester County; and may have a common seal, with power to alter the same at will.

Corporators.

Corporate name.

SEC. 2. That said corporation shall have power to purchase and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to the laws of the land, as they may deem necessary and expedient.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act, and be and continue in force until repealed.

Approved March 13, 1872.

A. D. 1872.

No. 196.

AN ACT TO ESTABLISH THE CHARLESTON LAND AND JOINT STOCK COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles

Corporators. Simonds, Thomas Mathews, L. F. Campbell, Samuel Porcher, James Porcher, Z. Paton, W. Fields, J. Proctor, J. Simmons, S. Porcher, A. Campbell, G. Hines, and other persons who are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same, to their members and stockholders, by the name and style of the Charleston Land and

Corporate limits. Joint Stock Company, the capital stock of which shall consist of

Capital stock. one thousand shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures, for default in their payments, according to such regulations as may be prescribed by the constitution and by-laws of said corporation; and, moreover, the said shares shall be disposed of, at the death, resignation or removal from the State of any shareholder, in such manner as may be prescribed by the said constitution, rules and by-laws.

SEC. 2. That the said corporation shall have power and authority

General powers. to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such numbers and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made, or to be made, by them; shall sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

SEC. 3. That the funds of the said corporation may be invested

Investment of its funds. in such property, real or personal, and securities, public or private, loaned to shareholders and members, or other persons or corporations, on such securities, in such mode, on such terms, under such conditions, and subject to such regulations, as may be, from time to time, prescribed by the constitution, rules and by-laws of the said corporation; and that it shall and may be lawful for said corporation to take and hold such lands, tenements, hereditaments and personal property and such stocks and bonds, public or private, or choses in action, as shall be mortgaged, conveyed, assigned or pledged to it, by way of security upon its loans or ad-

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vances, or purchased at sales thereof; and to sell, alien, transfer or otherwise dispose of the same, as, from time to time, the said corporation may deem expedient: *Provided*, That the real estate held by said corporation shall not, at any time, exceed the value of two hundred thousand dollars. That the real and personal property of each stockholder and assigns shall be liable for the debts of said corporation in any amount not exceeding the par value of the stock held by him.

SEC. 4. That, semi-annually, on the first days of January and July, there shall be divided amongst the stockholders of the said corporation, the profits accruing from the investment. Division of profits.

SEC. 5. That this Act shall be taken and deemed a public Act, and that the same may be given in evidence without being specially pleaded.

Approved March 13, 1872.

AN ACT TO REPEAL THE CHARTER OF THE VILLAGE OF LAURENSVILLE. No. 197.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the village of Laurensville, and all Acts or parts of Acts pertaining thereto, be, and the same are hereby, repealed.

Approved March 13, 1872.

AN ACT TO AUTHORIZE AND EMPOWER W. C. GARITY, F. W. TOWLES AND D. H. TOWLES TO ESTABLISH A WHARF AT MARTIN'S POINT, WADMALAW ISLAND, SOUTH CAROLINA. No. 198.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. C. Garity, F. W. Towles and D. H. Towles be, and are hereby, authorized and Wharf at Martin's Point.

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empowered to erect and build a wharf, and collect the usual rate of wharfage on the same, at Martin's Point, Wadmalaw Island, South Carolina, and to extend the same as far toward the channel of the river as may be necessary for commercial purposes.

In whom
vested.

SEC. 2. That the franchise herein granted shall be vested in the said W. C. Garity, F. W. Towles and D. H. Towles, their heirs, executors, administrators and assigns, for the term of ninety-nine years.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

No. 199.

AN ACT TO INCORPORATE THE TOWN OF TOWNVILLE, IN THE
COUNTY OF ANDERSON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the State of South Carolina, who are now, or who may hereafter become, inhabitants of the town of Townville, in the County of Anderson, shall be deemed, and are hereby declared, a body politic and corporate, and that said town shall be called and known by the name of Townville; and its limits shall be deemed and held to extend one-half mile in every direction from the Townville Baptist Church, in said town.

Corporate
limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Wednesday in April next, on which day, as well as on the first Wednesday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the State of South Carolina, and shall have been resident in the said town for sixty days immediately preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice, in writing, being previously given. That H. R. Vandiver, B. F. Gantt, W. J. Harbin and J. W. Spearman be, and they are, appointed a Board of Managers, to hold the first election under this Act. That all male inhabitants of the said town, of the age of twenty-one years, who have resided therein sixty days previously to said election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from nine in the morning until three o'clock in the afternoon, when the polls shall be closed, and the Managers shall publicly count the

Managers.

Electors.

Election.

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votes, and proclaim the election, and give notice thereof, in writing, to the persons elected; and that the Intendant and Wardens, for the time being, shall appoint the Managers to hold the ensuing election, at least twenty days prior to the day of election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to be administered to the officers first elected by some officer duly authorized to administer an oath, and by the outgoing Intendant to the Intendant and Wardens thereafter elected, to wit: "As Intendant (or Warden) of Townville, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

Oath of office.

SEC. 3. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from the State or town, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice thereof, as aforesaid, being given. And in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancy.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be empowered to preserve the public peace, within the limits of said town; and the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Townville; and they and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and policemen as they shall deem necessary and proper, which officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable. And the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules, by-laws, respecting the streets, ways, public wells and springs, or fountains of water, markets and police of the said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed twenty dollars; all fines may be recovered by an action for debt before the proper tribunal.

Judicial powers.

Marshals.

Police regulations.

Fines.

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Nuisances.

SEC. 5. That the said Council shall have power to abate and remove nuisances within the limits of said town; and, also, to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as occasion may require; and to enforce the performance thereof by appropriate penalties: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with persons liable to perform such duties, upon such terms as they shall, by ordinance, establish.

Roads and streets.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways, which may be necessary for public use, within the limits of said town, open and in good repair; and, for that purpose, they are hereby invested with all the powers, rights and privileges granted, or that may hereafter be granted, by law, to the County Commissioners, within the limits of said town. And, for any neglect of duty, said Intendant and Wardens shall be liable to the pains and penalties imposed by law upon the County Commissioners for like neglect. And they are hereby, individually, exempt from the performance of road and police duty; and the inhabitants of said town are hereby excused from road and police duty without the limits of said corporation.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways; and to release such persons therefrom as may desire it, upon the payment of such sum of money as said Intendant and Wardens may deem a fair equivalent therefor, to be applied by them to the use of the said corporation.

May hold and dispose of property.

SEC. 8. That the said Town Council of Townville shall also be empowered to retain, possess and enjoy, for the use and benefit of said town, all such property as they may now be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them in their corporate capacity; and to sell, alien, or in any way transfer the same, or any part thereof: *Provided,* The amount of property so held, or stock invested, shall in no case exceed the sum of ten thousand dollars.

Annual taxation.

SEC. 9. That the said Town Council of Townville shall also have power to impose an annual tax on all real and personal property within the corporate limits of said town, except the property belonging to churches and schools: *Provided,* Said tax shall not exceed ten cents on the hundred dollars.

Sales at auction.

SEC. 10. That the Intendant and Wardens of the town of Townville shall have power to regulate sales at auction within the limits of said town, and to grant licenses therein to auctioneers: *Provided,* That nothing herein contained shall extend to sales by or for Sheriffs,

Coroners, Clerks of Courts and Judges of Probate, Executors and Administrators, Assignees, Referees and Constables, or by any other person, under the order of any Court.

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SEC. 11. That the Intendant and Wardens of the town of Townville shall have power and authority to require all persons owning a lot or lots therein to keep in repair the sidewalks adjacent to their lots, respectively; and, for default in this matter, shall have power and authority to impose a fine not to exceed ten dollars.

Sidewalks.

SEC. 12. That the power to refuse or grant licenses to keep a tavern, or to retail intoxicating drinks, be, and the same is hereby, vested in the Town Council of Townville; and that they be, and are hereby, also invested with all necessary power, by ordinance or ordinances, to suppress or to regulate the sale of intoxicating drinks, to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, booths, stalls or outhouses of the said town, or within one half mile of the limits of the said town: *Provided*, That no rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. The said Town Council shall have power, under the hand and seal of the Intendant, to issue execution, directed to the Marshal of the said town, to collect all taxes and fines imposed by the said Council by virtue of authority in them vested by this Act, and the Marshal of said town is hereby invested with all the powers and authority conferred by law upon Constables, to enforce the satisfaction of such executions, in the same manner, and to the same extent.

Executions.

SEC. 14. That the said Town Council shall have power to appoint a Clerk and Treasurer, annually, and to define their duties and responsibilities.

Appointment
of Clerk and
Treasurer.

SEC. 15. That this Act shall be deemed and taken to be a public Act in all the Courts of Justice in this State, and shall continue of force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE CHARLESTON LOAN AND EX-
CHANGE COMPANY.

No. 200.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

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Corporators.
Title.

persons and bodies corporate who shall become stockholders in the manner hereinafter described, and their successors, shall be a body politic and corporate, under the name, style and title of the Charleston Loan and Exchange Company.

Capital stock.

SEC. 2. The capital stock of the said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: T. H. Williams, H. Bischoff, Wm. Gurney, J. A. Bowley, J. B. Dennis, C. J. Lamb, W. H. Gardner, Jr., S. A. Swails and J. H. Runkle. The said Commissioners, or a majority of them, shall open books, at such places in Charleston as they shall appoint, within sixty days from the passage of this Act, and receive subscriptions to the said stock: *Provided*, The said Commissioners shall have given at least three days' notice in two daily papers in the city of Charleston, of the time and place of receiving the subscriptions, and shall require a payment of twenty-five dollars on each share, to be made at the time of subscription therefor: *And provided further*, That the Board of Directors shall have power, in like manner, at such time as they shall see fit, to increase the said capital to the sum of five hundred thousand dollars.

Commissioners.

Books of subscription.

Division of shares.

SEC. 3. That if, after sixty days from the time of opening the books for subscription, one-tenth of the capital stock be subscribed for, then the shares to that extent be divided *pro rata* among the stockholders, and the company empowered to commence business.

General powers.

SEC. 4. That the said company, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock, according to such rules and regulations as they shall, from time to time, establish, and, also, of taking, holding or disposing of, or investing the increase, profits or emoluments of their said capital stock; and shall have full power and authority to have and use a common seal, and the same to alter and renew at their pleasure; and, by the name and title aforesaid, shall be able and capable, at law and in equity, to sue and be sued, to plead and be impleaded, answer and be answered unto, in all manner of suits, pleas, demands and judicial proceedings whatever; and they are further empowered to appoint a President, Board of Directors, and such other officers as they may deem expedient, for the proper protection and transaction of their business.

SEC. 5. That the said company is hereby authorized and empow-

ered to make contracts, and to make loans of money, upon security of real estate, personal property and choses in action, to barter in all kinds of merchantable articles, to give and to hold in exchange, upon such rates of interest as may be agreed upon between the persons or parties borrowing, and exchange at a rate agreed upon by the Board of Directors.

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May make
contracts, &c.

SEC. 6. That the said company shall have right and power to acquire, purchase, take and hold, in its corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange and convey, in fee simple or otherwise, and that the sum of three hundred dollars be yearly returnable to the State, out of the net income derived by the company, and that this Act remain in force for the period of twenty years.

May hold
and dispose of
property.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE AMERICAN UNION LITERARY CLUB, OF GADSDEN, RICHLAND COUNTY, SOUTH CAROLINA. No. 201.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Æsop Goodson, John T. Gilmore, Peter Shiver, Robert Campbell, James Scott, Jeff. Tucker, Ellison T. Weston, Harkles Scott, Moses Scott, Stepheney Scott, Alick Marshall, Kitt Mills, together with other persons who now are, or hereafter may be, associated with them, be, and they are hereby, declared a body corporate, under the name and style of the American Union Literary Club, of Gadsden, Richland County, South Carolina, and shall have succession of officers, and shall have a common seal.

Corporators.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

A. D. 1872.

AN ACT TO INCORPORATE THE SAVINGS BANK OF AIKEN.

No. 202.
Preamble.

Whereas there exists a class of persons who, from want of experience, are incapable of investing their small incomes and earnings, and as it is desirable to encourage economical and provident habits in all classes, and especially in the young, the laboring and the dependent; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Ellery M. Brayton, Charles D. Hayne, Frank Arnim, Samuel A. Gilman, Henry Jones, R. B. Elliott, P. R. Rivers, John Williams, S. J. Lee, W. H. Jones, H. J. Maxwell, and their successors and associates, be, and they are hereby, constituted a body corporate and politic, to receive deposits of money at interest, to loan and invest the same, and to issue certificates of deposits, under the name of the Savings Bank of Aiken, and by this name are invested with the following powers, rights and privileges, and subjected to the following restrictions:

Capital stock. SEC. 2. That the capital shall be twenty thousand dollars, with the privilege of increasing it to any amount not exceeding two hundred thousand dollars. This capital shall be a fund pledged for the security of deposits.

Value of shares. SEC. 3. Each share of stock shall be one hundred dollars, and the stockholders shall vote at all meetings in proportion to the number of their shares.

General powers. SEC. 4. The stockholders shall have power to make rules, regulations and by-laws for the management and direction of its affairs, in accordance with the laws of this State, through their properly constituted officers; they shall have power and authority to do everything necessary and proper for the safe and successful management of the bank.

When may commence business. SEC. 5. That this institution may go into operation as soon as fifteen thousand dollars of the capital stock shall be paid in, and not before.

Liability of stockholders. SEC. 6. That the stockholders of the said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise; and, further, no Director or other officer of said corporation shall borrow any money from said corporation. And, if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

SEC. 7. That this Act shall be deemed a public Act, and shall continue in force for the term of twenty years.

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Approved March 13, 1872.

AN ACT TO INCORPORATE THE WATEREE PRESBYTERIAN CHURCH, IN FAIRFIELD COUNTY. No. 203.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Wateree Presbyterian Church, of Fairfield County, is hereby incorporated, with all the rights and privileges awarded to religious denominations in this State.

Powers and
privileges.

SEC. 2. That the said church may acquire property, real and personal, for religious and educational purposes, and may dispose of, regulate and govern the same, as they may deem proper, in accordance with their laws and discipline, such laws not being inconsistent with the laws of the State.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SALEM PRESBYTERIAN CHURCH, OF WADMALAW ISLAND, SOUTH CAROLINA. No. 204.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thos. Middleton, Rolling Mathas, Abram Deas, their associates and successors, are made a body corporate and politic, under the name and style of the Salem Presbyterian Church, of Wadmalaw Island, South Carolina, with all the powers now granted to or vested in such like corporations by law; to sue and be sued, plead and be impleaded; and to have a common seal, to alter at will; and make such rules and by-laws to govern the corporation aforesaid, not repugnant to the laws of this State.

Corporators.

Title.

Powers and
privileges.

SEC. 2. This Act to be a public Act for the term of twenty-one years.

Approved March 13, 1872.

A. D. 1872.

No. 205.

AN ACT TO RENEW THE CHARTER OF MARION LODGE, No. 2,
I. O. O. F., OF THE CITY OF CHARLESTON, S. C.

Charter re-
newed.

Validating
clause.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of Marion Lodge, No. 2, I. O. O. F., be, and the same is hereby, renewed, and shall continue in force until amended, altered or repealed; and that all acts done by the said Marion Lodge, No. 2, I. O. O. F., since the expiration of its charter, in conformity thereto, shall be, and the same are hereby declared to be, as good and valid, to all intents and purposes, as if the same had been done before the expiration of its charter.

Approved March 13, 1872.

No. 206. AN ACT TO INCORPORATE THE GRAND DIVISION OF THE SONS
OF TEMPERANCE, OF SOUTH CAROLINA.

Corporators.

Corporate
name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Oliver Hewitt, W. W. Pemberton, Thomas J. LaMotte, W. B. Timmons, W. T. D. Cousart, G. G. Patrick, E. E. Sell, B. D. Townsend, A. M. Kennedy, Rev. J. Claudius Miller, G. W. Turner, L. W. Kennedy, M. W. Felder, L. L. Rice, S. H. Tindal, and others who now are, or may hereafter become, officers and members of the Grand Division of the Sons of Temperance, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, by the name and style of the "Grand Division of the Sons of Temperance, of the State of South Carolina;" and that the said corporation, by its corporate name, sue and be sued, plead and be impleaded, in the Courts of this State; and shall be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements or real estate, of what kind and nature soever, and the same, or any part thereof, to sell, alien or convey, at their will and pleasure: *Provided*, That the property so held shall not exceed the annual value of fifty thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO DECLARE PUBLIC A CERTAIN ROAD IN THE
COUNTY OF ORANGEBURG.

A. D. 1872.

No. 207.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a certain road in the County of Orangeburg, leading in a north-easterly direction from the town of Branchville, to what is known as the Old Orangeburg Road, be, and the same is hereby, declared public.

Approved March 13, 1872.

AN ACT TO AUTHORIZE THE FORMATION OF, AND TO INCORPORATE, THE LAURENS AND ASHEVILLE RAILROAD. No. 208.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. R. Fowler, William Mills, Lanson Owens, Samuel Fleming, Wm. H. Langston, Y. J. P. Owens, J. Crews, W. E. Earle, Thomas M. Cox, Alexander Isaacs, Wilson Cook, Alex. McBee, H. P. Hammett, L. Williams, Hewlett Sullivan, James P. Moore, and their associates and successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Laurens and Asheville Railroad Company, for the purpose of constructing a railroad from the town of Laurens to the town of Greenville, and thence towards Asheville, N. C., by the most direct and possible route.

Corporators.

Corporate name.

SEC. 2. That, for the purpose of raising the capital stock of said company, it shall be lawful to open books, at the town of Laurens, under the direction of J. R. Fowler, William Mills, Lanson Owens, Samuel Fleming, Wm. H. Langston, Y. J. P. Owens and J. Crews; at the town of Greenville, under W. E. Earle, Thomas M. Cox, Alexander Isaacs, Wilson Cook, Alex. McBee, H. P. Hammett, L. Williams, Hewlett Sullivan and James P. Moore; and at such other places, in the Counties of Laurens and Greenville, and under the direction of such other persons, as the Commissioners in the respective Counties herein above named may designate, for the purpose of securing subscriptions to an amount not exceeding two million five hundred thousand dollars, in shares of one hundred dollars each, to constitute a joint capital stock, for the purpose of constructing and carrying into opera-

Commissioners to raise capital stock.

Joint capital stock.

A. D. 1872.

tion the said railroad; and, on each share of individual stock, the subscribers shall pay to the Commissioners, who shall be authorized to take the same, the sum of five dollars, lawful money of the United States.

When said company may meet and organize.

SEC. 3. That, when the sum of one hundred thousand dollars shall have been subscribed in the manner before specified, the subscribers shall be, and they are hereby, declared a body corporate, to be known by the name and style of the Laurens and Asheville Railroad Company, and may meet and organize said company, at such time and place as may be designated by the Commissioners for the town of Laurens hereinbefore named.

Powers and privileges conferred by charter on certain companies granted to this company.

SEC. 4. That, for the purpose of organizing said company, all such powers as are conferred by the charter of the Greenville and Columbia Railroad Company on the Commissioners at Greenville shall be, and are hereby, conferred on the Commissioners herein appointed, at the town of Laurens; and all the powers, rights and privileges granted by the said charter, and its amendments, to the Greenville and Columbia Railroad Company shall be, and they are hereby, granted to the Laurens and Asheville Railroad Company, and subject to like restrictions as are therein contained, except as to the capital stock, the sum necessary to authorize organization, and the amount of shares, except so far as may be necessary to conform to the special provisions of this Act: *Provided, however,* That nothing herein contained shall be so construed as to bind the State to subscribe stock in said company, or make any appropriation to enable the said company to build said road, or in any manner to loan the credit of the State thereto.

Subscription may be made by Counties, townships, towns or cities.

Manner of subscribing.

SEC. 5. That it shall be lawful for any County, township, town or city in this State, interested in the construction of the said railroad, to subscribe to the capital stock of said company such sum as the majority of the voters of such County, township, town or city may authorize their constituted authorities to subscribe; and the Chairman of the Board of County Commissioners of any County, or the Mayor or Intendant of any town or city in this State, when instructed by resolution of a convention of tax payers of such County, township, town or city—said convention to be called, after reasonable notice, by the Chairman of the Board of County Commissioners, or the Mayor or Intendant of the town or city, upon the application of not less than ten tax payers, in writing—is hereby required to submit the question of said subscription, and the amount to be subscribed to the said road, to a vote of the legal voters thereof, the said Mayor, Chairman or In-

tendant to designate the precincts for voting, and to appoint suitable Managers to conduct the same, and declare the result.

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SEC. 6. That if any County, township, town or city shall make a subscription to said road, as provided in the foregoing Section, said subscription shall be raised by taxation, in annual installments, of not less than ten nor more than twenty years, as the people may authorize in the vote aforesaid.

Subscription,
how to be
raised.

SEC. 7. That whenever any subscription shall be made by any County, township, town or city to said road as aforesaid, the County Auditor or other officer discharging the duties of County Auditor, shall assess, annually, upon the taxpayers of such County, township, town or city, such per centum as may be necessary to raise the annual installment required by said subscription, which shall be known and styled in the tax books as the said railroad tax, which shall be collected by the County Treasurer, under the same regulations as are provided by law for the collection of the State and County taxes, and which shall be paid over by said County Treasurer, as soon as collected, to the Treasurer of said railroad company.

Duties of
County Audi-
tor and Treas-
urer.

SEC. 8. That, upon the payment of said annual railroad tax by the tax payers, the County Treasurer, or other officer collecting said tax, shall give to each tax payer a certificate of the amount paid by him on said railroad tax, which certificate shall be convertible into stock in said railroad company, at par, in the hands of said taxpayer or the bearer thereof, when presented to the company for that purpose.

Each tax
payer to re-
ceive a certi-
ficate.

SEC. 9. That, in all conventions of the stockholders of said company, such County, township, town or city, as may subscribe to the capital stock thereof, may be represented by not less than three nor more than five delegates, who shall represent such portion of the subscription of the said County, township, town or city as may not have been converted into individual stock by the certificates of the tax payers aforesaid; and said delegates may be appointed in primary convention of the tax payers of such County, township, town or city, as the case may be, in such manner as the said convention may determine, and for this purpose the Chairman of the County Commissioners of any County, or the Mayor or Intendant of any town or city, in which subscriptions may be made, is hereby required to call a convention of such tax payers, at least ten days before the meeting of any convention of stockholders of said company to which the delegates are to be appointed.

Counties,
townships,
&c.—how rep-
resented.

SEC. 10. That said company is authorized to receive subscription to its capital stock in lands or labor, as may be agreed upon between said company and said subscribers, and may acquire, by grant, purchase, lease or otherwise, any estate, real or personal,

Subscriptions
may be made
in lands or
labor.

A. D. 1872.

whatsoever, and the same to hold, use, sell, convey and dispose of, as the interest of said company requires.

Issue of bonds.

SEC. 11. That the County Commissioners of the Counties of Laurens and Greenville, and the proper authorities of the towns and villages in those Counties subscribing to the capital stock of the said Laurens and Asheville Railroad, be empowered, as soon as the said company shall have complied with the terms of subscription of any of the above mentioned Counties, towns, cities or villages, and said subscriptions accepted by said company, then the said County Commissioners of such County, or the proper authority of such towns and villages, are authorized and required to issue bonds to the amount of said subscription, and to have levied and collected, par to par, on all taxable property in said County, town or villages, a sum of money sufficient to meet the interest accruing on such bonds as may be issued to meet such subscription to the capital stock of said Laurens and Asheville Railroad Company, and to provide further payment of such bonds as they may fall due.

First mortgage bonds.

SEC. 12. That the said Company be, and they are hereby, authorized to issue first mortgage bonds in an amount or amounts not exceeding twenty thousand dollars per mile, for each and every mile of the said road, as soon as each mile of the same shall be completed, and so on until the completion of the entire road.

Approved March 13, 1872.

No. 209. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RE-NEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," APPROVED MARCH 9, 1871.

Compensation of owners.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the proviso in Section ninety-seven (97) of the said Act be, and the same is hereby, amended so as to read as follows: "That the owners of lands, over which such street or streets may pass, shall be duly compensated by the said Town Council."

Appointment of Commissioners.

SEC. 2. That, in case the Council and land owners cannot agree upon the amount of such compensation, the same shall be ascertained by three Commissioners, to be appointed, one by the Town Council, one by the land owner, and the third by the Board of County Commissioners for Oragneburg County: *Provided*, That either party may appeal from such assessment to the Court of Com-

A. D. 1872.

mon Pleas, who shall submit the issue of value to a jury : *And provided, further,* That the assessment agreed on, whether by the aforesaid Commissioners or by the jury, shall be recorded in the office of Register of Mesne Conveyance for the aforesaid County of Orangeburg.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE PROSPECT BAPTIST CHURCH, OF No. 210.
LAURENS COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all persons who now are, or who hereafter shall or may become, members of said society, shall be, and are hereby, incorporated, and are hereby declared to be a body corporate, by the name and style of the "Prospect Baptist Church," and by the said name shall have succession of officers and members, and have a common seal.

Corporator

Title.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of twenty-five thousand dollars, or to sell the same; and by its corporate name to sue and be sued in any Court of this State; and to make such rules and by-laws (not repugnant to law) as may be thought expedient.

Powers and
privileges.

SEC. 3. That this Act be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE MOUNT BETHEL CHURCH, OF No. 211.
LAURENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mount Bethel Church, of Laurens County, is hereby incorporated with all the rights and privileges awarded to religious denominations in this State.

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Powers and
privileges.

SEC. 2. That the said Bethel Church shall have power to purchase, receive and hold any real and personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

No. 212. AN ACT TO INCORPORATE THE CHURCHES OF ANTIOCH, NEW HOPE, BETHEL GROVE AND NEW BETHANY, OF LAURENS COUNTY, SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the churches known by the names of Antioch, New Hope, Bethel Grove and New Bethany, of Laurens County, South Carolina, be, and the same are hereby, incorporated, and the corporators thereof are hereby vested with all the rights, privileges and immunities conferred on certain religious institutions by an Act ratified the 16th day of December, 1851.

Approved March 13, 1872.

No. 213. AN ACT TO MAKE APPROPRIATION AND RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1871.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums be, and they are hereby, appropriated for the payment of the various officers and expenses of the State Government, that is to say:

For, Salaries.

A. D. 1872.

For the Governor, three thousand five hundred dollars; for the Lieutenant Governor, twenty-five hundred dollars; for the Secretary of State, three thousand dollars; for the Private Secretary of the Governor, two thousand dollars; for the Clerk to Secretary of State, one thousand dollars; for the Adjutant and Inspector General, twenty-five hundred dollars; for the Comptroller General, three thousand dollars; for the Clerk to the Comptroller General, eighteen hundred dollars; for extra clerical services in the office of the Comptroller General, one thousand dollars; for the State Treasurer, twenty-five hundred dollars; for the Chief Clerk to the State Treasurer, eighteen hundred dollars; for a Book-keeper for State Treasurer, eighteen hundred dollars; for Auditor of the State, twenty-five hundred dollars; for the State Auditor's Clerk, one thousand dollars; for the State Superintendent of Education, twenty-five hundred dollars; for the Clerk to the State Superintendent of Education, one thousand dollars; for the Health Officers, four thousand nine hundred dollars; for the Chief Justice of the Supreme Court, four thousand dollars; for the two Associate Justices, seven thousand dollars; for the eight Circuit Judges, twenty-eight thousand dollars; for the eight Circuit Solicitors, eight thousand dollars; for the Attorney General, three thousand dollars; for the Attorney General's Clerk, one thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for the Keeper of the State House and State Librarian, one thousand dollars; for the Superintendent of the South Carolina Penitentiary, two thousand dollars; for two Watchmen of the State House and Grounds, six hundred dollars each; for the County Auditors, thirty-one thousand five hundred dollars; for the Clerk to the Auditor of the County of Charleston, one thousand dollars; for clerical services in the office of Auditor of Charleston County, two thousand dollars; for the Governor's Messenger, three hundred dollars; for the County School Commissioners, thirty-one thousand two hundred dollars; for preservation of books and records in the office of Register of Mesne Conveyance in Charleston County, three thousand dollars.

Salaries of
Executive
and Judicial
officers.

Executive Department.

SEC. 2. For contingent fund of the Governor, fifteen thousand dollars; for the contingent fund of the Treasurer, one thousand dollars; for the contingent fund of the Comptroller General, one thousand dollars; for the contingent fund of the Attorney General,

Contingent
funds of Ex-
ecutive off-
icers.

A. D. 1872.

one thousand dollars; for the contingent fund of the State Auditor, fifteen hundred dollars; for the contingent fund of the Adjutant and Inspector General, two thousand dollars; for the contingent fund of the State Superintendent of Education, fifteen hundred dollars; for the contingent fund of the Secretary of State, two thousand dollars; for the contingent fund of the State Librarian, five hundred dollars. The above appropriations to be drawn by the heads each department, respectively.

Judiciary Department.

Expenses Ju-
diciary De-
partment.

SEC. 3. For the purchase of books for the Supreme Court Library, one thousand dollars, if so much be necessary, to be drawn on the order of the Chief Justice; for the contingent expenses of the Supreme Court, under Section 7 of an Act ratified the 18th day of September, 1868, five hundred dollars; for an attendant on the library and the rooms of the Supreme Court, eight hundred dollars, to be paid, quarterly, on the warrant of the Chief Justice on the Treasury—the said attendant to be appointed by, and be removable at, the pleasure of said Court; for three Code Commissioners, for salary to May 1, 1872, five thousand two hundred and fifty dollars; and no further amount shall be paid the Code Commissioners after this date; and before which time the Code Commissioners shall make a complete index and reference, and correct all errors in side notes, &c.

Ordinary Civil Expenses.

Ordinary
civil expen-
ses.

SEC. 4. For the Civil Contingent Fund, thirty thousand dollars—fifteen thousand dollars thereof, if so much be necessary, shall be applied to the payment of claims now audited and on file, other than *nulla bona* claims; for the support of the Lunatic Asylum, eighty thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Board of Regents; for the support of the State Orphan Asylum, fifteen thousand dollars, to be paid in accordance with the law establishing the same; for re-organizing and perfecting the State Militia, fifteen thousand dollars: *Provided*, That three thousand five hundred dollars be used for the repair of the Armory at Columbia, to be drawn on the warrant of the Comptroller General, on application by the Adjutant and Inspector General; for Quarantine expenses, three thousand dollars; for Keeper of the Lazaretto, four hundred dollars; for repairs and painting of the Lazaretto building, six hundred dollars, to be drawn on the warrant of the Comptroller General, on application by the Port Physician of Charleston; for the Physician of Charleston Jail,

one thousand dollars; for transportation and clothing of discharged convicts, three hundred dollars; for the Catawba Indians, eight hundred dollars; for the payment of the Commissioners, Messengers and Managers of the General Election of 1872, twenty-five thousand dollars, to be paid on the warrant of the Comptroller General.

A. D. 1872.

Extraordinary Expenses.

SEC. 5. For past dues for construction and for continuing the construction of the South Carolina Penitentiary, eighty thousand dollars, to be paid on the warrant of the Comptroller General, on application of the Superintendent.

Appropriation for construction of Penitentiary.

Educational Department.

SEC. 6. For the support and maintenance of Free Schools, three hundred thousand dollars, in addition to the capitation tax: *Provided*, That the sum of three hundred thousand dollars be apportioned among the several Counties of the State, in proportion to the number of children between the age of six and sixteen; further, that each County shall be entitled to the amount of the poll tax raised in said County; for the support of the University of South Carolina, twenty-seven thousand eight hundred and fifty dollars; for repairs to buildings of South Carolina University, ten thousand dollars, to be paid on the warrant of the Comptroller General, on application of the President of the University; for the support of the South Carolina Institution for the Education of the Deaf and Dumb and the Blind, ten thousand dollars, to be paid on the warrant of the Comptroller General, on application of the Chairman and Secretary of the Board of Commissioners of the Deaf and Dumb and the Blind.

Appropriation for maintenance of free schools.

Support of South Carolina University

SEC. 7. That all taxes, assessed and payable under this Act, shall be paid in the following kinds of funds, viz: Bills Receivable of the State, United States currency, National Bank notes, Revenue Bond Scrip, gold or silver coin.

Approved March 13, 1872.

AN ACT RELATING TO THE FINANCIAL AGENT OF THE STATE OF SOUTH CAROLINA, IN THE CITY OF NEW YORK.

No. 214.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Finan-

A. D. 1872.

Adjustment
and settle-
ment of Fi-
nancial Agt's
claims.Release and
discharge.To render
statement to
Comptroller
General.

cial Board of this State is hereby authorized and required forthwith to adjust and settle the claims, demands and accounts, and all or any matters of difference relating to the Financial Agent of this State, in the city of New York, and to receive any balance which, on such adjustment, may be found to be owing to this State by the said Financial Agent, or for which said Financial Agent may be, or become, liable to this State; also, for all property or effects belonging to this State, now in, or which may hereafter come into, the possession of said Financial Agent, or any part or parts thereof; and upon the due payment and satisfaction, on the part of said Financial Agent, of any demand arising on such settlement or adjustment, to execute and deliver to him a full release and discharge for all liability to this State by reason of any matter or thing done in the course of such Financial Agency. That said Financial Board shall render a statement of the settlement with the Financial Agency to the Comptroller General of the State thirty days prior to the meeting of the next General Assembly.

SEC. 2. That this Act shall take effect immediately.

Approved March 13, 1872.

No. 215. AN ACT RELATING TO THE BONDS OF THE STATE OF SOUTH CAROLINA.

Preamble.

Whereas, bonds or obligations of this State have been issued, from time to time, to a large amount, in accordance, as was supposed by the officers issuing the same, with the authority and provisions of certain Acts of the General Assembly, including "An Act to authorize a loan to redeem the obligations known as the Bills Receivable of the State of South Carolina," approved August 26, 1868; also, "An Act to authorize a State loan to pay interest on the public debt," approved August 26, 1868; also, "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties," approved March 27, 1869; also, "An Act to amend the last named Act, and for other purposes," approved March 1, 1870; also, "An Act to authorize a loan for the relief of the Treasury," approved February 17, 1869; also, "An Act to provide for the conversion of State securities," approved March 23, 1869; and "An Act to authorize the Financial Agent of the State of South Carolina, in the city of New York, to pledge State bonds as collateral

security, and for other purposes," approved March 26, 1869; which said bonds are fully and particularly stated and set forth in a report made by the Treasurer of the State to the General Assembly, dated October 31, 1871; and whereas, doubts have arisen whether said issues were in strict conformity to the provisions of the said several Acts under which they were respectively issued; and whereas, it was the true intent and meaning of the several Acts above set forth that such issues of bonds or obligations should be made in the manner in which the same have been made, as aforesaid; and, whereas, also, doubts have been raised as to the validity of some of the bonds mentioned in the said annual report of the State Treasurer, for the fiscal year ending with October 31, 1871, although money has been borrowed by, or realized out of, said bonds on account of this State; and, whereas the credit of this State has been affected thereby:

A. D. 1872.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said bonds and obligations, issued on behalf of this State, as mentioned and set forth in the report of the Treasurer of this State to the General Assembly, dated October 31st, 1871, were duly and lawfully issued in conformity with the true intent and meaning of the several Acts of the General Assembly hereinbefore set forth by their respective titles.

Bonds named
in Treasurer's
report
lawfully is-
sued.

SEC. 2. That the acts of the officers of this State, authorized under the provisions of the laws of this State, and of the several Acts hereinbefore referred to, to the extent of all issues of bonds or obligations enumerated and set forth in the said report of the Treasurer, be, and are hereby, in all things, ratified, confirmed and established.

Acts of State
officers rat-
ified and con-
firmed.

SEC. 3. That each and all of the bonds named in said annual report of the Treasurer of this State for the fiscal year ending with October 31st, 1871, be, and the same are hereby declared to be, legal and valid bonds of the State of South Carolina, for the payment of which the faith, credit and funds of the State have been, and are hereby, pledged: *Provided*, That no bonds be included which are not registered in the Treasury at the time of the passage of this Act, as provided for by Section 14 of Article IX of the Constitution, relating to finance and taxation.

Bonds named
in Treasurer's
report legal
and valid.

Proviso.

SEC. 4. The Section of each of the Acts under which said bonds purport to be issued, which provides for an annual tax to pay the interest, is hereby declared to be a part of this Act; and an annual tax, in addition to all other taxes, shall be levied upon the property of the State, sufficient to pay the interest on the bonds named in or provided for, by this Act, until the principal of said bonds shall

Annual tax
to pay inter-
est.

A. D. 1872.

Bonds to be of one description and style.

become due, such payment to be made in United States currency only.

SEC. 5. Hereafter every bond converted or issued under or in pursuance of any of the laws of this State, shall be of the description and style of those heretofore issued under an Act entitled "An Act to provide for the conversion of State securities," approved March 23d, 1869, so that all of the bonds of this State shall be of one description and style, as soon as the exchange can be made: *Provided*, That all bonds of the State of South Carolina converted into stock of said State, and all stock of the State of South Carolina converted into conversion bonds of the State, as provided for in the Act hereinbefore mentioned, approved March 23, 1869, shall be cancelled immediately upon the conversion of the same, and retired from issue or hypothecation.

Bonds heretofore authorized, to be issued in conformity with this Act.

SEC. 6. All bonds heretofore authorized to be issued shall be issued in pursuance of, and in conformity with, the provisions of this Act, and shall be converted into bonds, of the style and description named in the next preceding Section, as speedily as the same can be done.

Manner of sale not to impair their validity.

SEC. 7. That neither the sum or sums realized from any sale or sales of any of the bonds of this State, nor the manner of sale of any of the bonds of this State, shall in any manner affect or impair the validity and obligation thereof.

Duty of Governor, Treasurer and Secretary of State.

SEC. 8. The Governor is hereby authorized and required to sign all of the bonds named in this Act. The State Treasurer is authorized and required to countersign the same. And the Secretary of State is authorized and required to affix the seal of the State to the same without delay: *Provided*, That no bonds shall be signed by the Governor, or countersigned by the State Treasurer, except for the conversion of bonds or stocks already issued pursuant to law.

Proviso.

SEC. 9. Nothing contained in this Act shall authorize the issue or conversion of any bonds of this State other than those named in the report made by the State Treasurer, as specified in the 3d Section of this Act, and such as have been authorized under previous laws of this State.

Places of registry.

SEC. 10. The Commercial Warehouse Company, in the city of New York, and the Carolina National Bank, in the city of Columbia, South Carolina, are hereby declared to be authorized places for the registering of the bonds, coupons or stocks of the State of South Carolina, and they are authorized, on the passage of this Act, to immediately advertise, in one or two of the principal papers in each of the cities of New York, Columbia and Charleston, to the holders of all the bonds, coupons or stock of the State of South

Carolina, the necessity of registering their bonds, coupons or stocks at one of the above authorized places of registry. In the registration of said bonds, coupons or stocks, the number and denomination of each bond, coupon, or certificate of stock, the Act under which it was issued, and the name of the person, association, corporation or firm presenting the same, shall be recorded, and the time and place of registration shall be endorsed upon said bonds, coupons or stocks, so that the same bonds, coupons or stocks may not be presented at more than one place of registration. It shall be the duty of the said Commercial Warehouse Company, in the city of New York, and the Carolina National Bank, in the city of Columbia, South Carolina, to publish, in the cities of New York, Charleston and Columbia, quarterly statements of the whole amount of bonds, coupons or stocks registered by them, the number, denomination, and the Act under which they have been issued. The State Treasurer and the Financial Agent of the State, in the city of New York, shall not pay interest on said bonds or stocks until they have been registered according to the requirements of this Act.

A. D. 1872.

Publication
of quarterly
statements of
bonds regis-
tered.

SEC. 11. All Acts or parts of Acts contrary to, or inconsistent with, this Act are, for the purposes of this Act, but for no other purpose, hereby repealed.

SEC. 12. This Act shall take effect immediately.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SOUTH CAROLINA REAL ESTATE, No. 216. PLANTING AND MINING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. F. Graham, Edward Reid, George Kline, H. E. Hayne, B. F. Briggs, S. A. Swails, W. A. Grant, W. B. Nash, Edward Mickey, O. R. Levy, Wm. Elliott, J. A. Bowley, Barney Humphreys, Jordan Lang, C. C. Bowen, Timothy Hurley, T. A. Davis, N. B. Myers, J. B. Bascomb, S. Greene, J. S. Mobley, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "South Carolina Real Estate, Planting and Mining Company," for the purpose of securing foreign and domestic capital in the purchase and improvement of lands and other property, and for the working of the same, and for

Corporators.

Corporate
name.

Objects of
corporation.

A. D. 1872.

selling and settling the same: *Provided, however,* That the said corporation shall be organized and go into operation within two years from the passage of this Act.

Capital stock. SEC. 2. *And be it further provided,* That the capital stock of said corporation shall be one million of dollars, (\$1,000,000,) in shares of one hundred dollars, (\$100,) each, with the privilege of increasing the same, from time to time, to the extent necessary for which said company is formed, said increase not to exceed the sum of five millions of dollars, (\$5,000,000,) and said increase to be made only at a regular meeting of the said company, upon a vote of two-thirds in amount of the stock for the time being in favor of such increase.

**Shares trans-
ferable.**

SEC. 3. That the said shares shall be deemed personal property, and shall be transferable only on the books of the company.

**May hold
and dispose of
property.**

SEC. 4. That the said corporation shall have power to purchase, acquire, hold, use, work and dispose of real estate in any of the Counties of this State, to work and operate mines, to work and operate farms and plantations within the State, and to dispose, generally, of the products of the same.

By-laws, &c.

SEC. 5. That the said corporation shall also have power to make all by-laws necessary for the disposition of its property, and for the management of its affairs, for the regulation of the term of office of its officers, and prescribing their duties, and to carry out the general objects of the corporation, and the same at pleasure to annul and repeal: *Provided,* That such by-laws, rules and regulations shall not conflict with any laws of the United States or of the State of South Carolina.

**Issue of
bonds.**

SEC. 6. That said corporation shall have power to borrow money by issuing interest bearing bonds, secured by mortgage of its property and franchises, or of any portion of the same; and, for this purpose, may issue bonds for sterling, gold coin or currency, payable in London, New York or Charleston, secured by mortgage to trustees for the payment of the said bonds; and, also, may purchase land, for cash or for bond, secured by mortgage, or partly for cash, and partly for bonds and mortgages: *Pro-*

**Liability of
stockholders.**

vided, That the stockholders of the said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

Agencies.

SEC. 7. That said corporation shall have the power to establish agencies at such place in Europe and America as it may deem desirable for the carrying out of its objects; and may, also, hold

and purchase the stocks or bonds of any joint stock or incorporated companies, and the bonds of private individuals.

A. D. 1872.

SEC. 8. That, within the time prescribed for the going into operation of this Act, a meeting of the said company shall be held, at which meeting fifteen Directors shall be elected by the said corporation, which said Directors shall elect from their own number a President and Treasurer; and they shall also elect such other officers and agents as they may deem necessary for effecting the object of the said corporation; and, annually after the said meeting, the said stockholders shall elect twelve Directors.

Election of officers.

SEC. 9. The said corporation shall have succession of officers, power to adopt and use a corporate seal, to sue and be sued, to plead and be impleaded, to defend and be defended, in any Court of law or of equity.

General powers.

SEC. 10. This corporation shall have the right to establish wagon roads to and upon its property, with the privilege of connecting the same with any roads in the State, and shall enjoy all the privileges that are awarded, under the general laws of the State, to any corporation, together with the special privileges awarded by this charter.

Wagon roads.

Approved March 13, 1872.

JOINT RESOLUTIONS.

JOINT RESOLUTION TO PROVIDE FOR THE RE-PUBLICATION OF CERTAIN STATUTES OF THIS STATE, AND JOURNALS OF THE GENERAL ASSEMBLY THEREOF.

No. 1.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Republican Printing Company be, and they are hereby, authorized to have printed one thousand copies each of Volumes X, XI, XII, XIII and XIV, of the Statutes of this State, said copies to be deposited in the State Library, subject to proper distribution as public necessities or the convenience of State and County officials may dictate. The Clerk of the Senate and the Clerk of the House of Representatives shall have supervision of said printing.

Republi-
cation of Vol.
X, XI, XII,
XIII, XIV, of
the Statutes.

Place of de-
posit.

To whose
orders sub-
ject.

SEC. 2. The cost of the printing herein provided for shall be paid

Cost — how
provided for.

A. D. 1872.

upon the certificate of the said Clerks of the Senate and of the House of Representatives, out of any moneys in the Treasury not otherwise appropriated.

Returned to the Senate with objections of His Excellency the Governor, November 29, 1871.

IN THE SENATE, COLUMBIA, S. C., December 9, 1871.

On the question, "Shall this Joint Resolution become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, the Joint Resolution passed by a *viva voce* vote of yeas, 15; nays, 5; and ordered to be sent to the House of Representatives.

By order:

J. WOODRUFF,
Clerk of Senate.

IN THE HOUSE OF REPRESENTATIVES, December 11, 1871.

On the question, "Shall this Joint Resolution become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, and the Joint Resolution passed by a *viva voce* vote of yeas, 63; nays, 29; and become a law, in accordance with Section 22, Article III, of the Constitution, and ordered to be returned to the Senate.

By order:

A. O. JONES,
Clerk of the House of Representatives.

No. 2. JOINT RESOLUTION TO REQUIRE THE GOVERNOR TO COMMUNICATE WITH THE PROPER AUTHORITIES OF THE STATE OF GEORGIA, WITH A VIEW TO A RE-ADJUSTMENT OF THE BOUNDARY LINE BETWEEN THE STATES OF GEORGIA AND SOUTH CAROLINA, AND AUTHORIZING THE APPOINTMENT OF THREE COMMISSIONERS.

Whereas the action had by the Commissioners of the conference

between the States of South Carolina and Georgia, on the 24th day of April, A. D. 1787, in the town of Beaufort, in the State of South Carolina, is, for many reasons, unsatisfactory, prominent among which may be mentioned the ambiguity of the first Article, the manifest error in third Article, to wit, "the State of South Carolina shall not hereafter claim any lands to the eastward, southward, south-westward or west of the boundary above established;" and whereas the citizens of South Carolina have no rights of fishing in the Savannah River, or using or drawing off the waters of said river for the purposes of navigation or manufacturing; therefore,

A. D. 1872.

Action of the conference between South Carolina and Georgia unsatisfactory. Ambiguity of first, and error in third Article. Rights of fishing in waters of Savannah River denied.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor of this State be, and he is hereby, required to communicate with the proper authorities of the State of Georgia, with a view to a re-adjustment of the boundary line between the States of Georgia and South Carolina; and that, whenever the Governor of the State of Georgia shall have indicated to him its willingness for a re-adjustment, that he be, and is hereby, further authorized and required to appoint three Commissioners, on the part of the State, to effect said re-adjustment; and said Commissioners shall be paid the same per diem and mileage as members of the General Assembly; and the Treasurer of the State is hereby authorized to pay the same out of any funds in the Treasury not otherwise appropriated.

Governor to communicate with authorities of Georgia.

To appoint three Commissioners for said purpose.

Payment provided for.

SEC. 2. That the said Commissioners shall have power to arrange and finally determine the line between said States; and their action in the matter shall be binding upon the State of South Carolina.

Action of Commissioners binding on State of South Carolina.

Approved January 8, 1872.

JOINT RESOLUTION AUTHORIZING J. A. MAYES, EXECUTOR OF THE ESTATE OF JAMES MCBRIDE, DECEASED, TO SELL CERTAIN LANDS, AND APPLY THE PROCEEDS THEREOF TO THE EDUCATION OF THE MINOR HEIRS.

No. 3.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. A. Mayes,

A. D. 1 72.

J. A. Mayes
authorized to
sell certain
lands and
give deeds
for same.

Disposition
of moneys
arising from
such sale.

Unexpended
balance—how
to be dispos-
ed of.

Fund to be
deposited
with Probate
Judge.

executor of the estate of J. McBride, deceased, be, and is hereby, authorized and empowered to sell, at private or public sale, as he may deem best, certain timber lands, belonging to said estate, and to make and give deeds of conveyance for the same.

SEC. 2. That the money or moneys accruing from the sale of said lands shall be used for the support and education of the minor children of the said James McBride, or so much thereof as may be necessary, and if there be any amount remaining unexpended when such children shall have attained their majority, the same shall be disposed of according to law, or the will of the said James McBride, as the case may be.

SEC. 3. That the said J. A. Mayes shall deposit with the Judge of the Probate Court a bond sufficient to cover the amount of said sale, before the money accruing therefrom shall be turned over to him, for the faithful disbursement of the same according to the provisions of this resolution.

Approved January 31, 1872.

No. 4. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO
RE-ISSUE CERTIFICATE OF STATE STOCK TO R. S. PORCHER.

Certificate
re-issued to
R. S. Porcher.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to R. S. Porcher, or his assignee, agent or attorney, certificate of State Stock No. 186, for fifty (50) dollars, issued under Act ratified September 21, A. D. 1866, and supplemental Act, ratified December 21, A. D. 1866, in lieu of the original, which has been lost or mislaid: *Provided*, That he gives a bond of indemnity to the State for double the value of the certificate issued.

Approved January 31, 1872.

JOINT RESOLUTION TO CHANGE THE NAME OF SAMUEL DOGEN, COLUMBUS DOGEN AND SIMON DOGEN, TO SAMUEL FARROW, COLUMBUS FARROW AND SIMON FARROW.

A. D. 1872.

No. 5.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Samuel Dogen, of Newberry County, and Columbus Dogen and Simon Dogen, of Union County, be changed to Samuel Farrow, Columbus Farrow and Simon Farrow, and that hereafter the said Samuel Dogen, Columbus Dogen and Simon Dogen shall be known and called Samuel Farrow, Columbus Farrow and Simon Farrow.

Approved February 15, 1872.

JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PURCHASE A SET OF FIRE AND BURGLAR-PROOF DOORS FOR THE VAULT IN HIS OFFICE.

No. 6.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to purchase a set of fire and burglar-proof doors for the vault in his office, at a cost not to exceed fifteen hundred dollars, and to be paid for out of any moneys in the Treasury not otherwise appropriated.

Fire and
burglar-proof
doors for
Treasurer's
office.

Approved February 27, 1872.

JOINT RESOLUTION TO RELIEVE THE LATE COUNTY TREASURER OF YORK COUNTY, E. M. ROSE, AND HIS BONDSMEN.

No. 7.

Be it resolved by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Edward M. Rose, late County Treasurer of York County, and his bondsmen, Wm. E. Rose, James Windsor and J. L. Watson, be relieved from all responsibility as Treasurer and bondsmen in York County until date, in consequence of a raid made on that office and officer by the Ku Klux Klan, on the 26th day of February, 1871.

Bond-men
relieved.

Approved March 4, 1872.

A. D. 1872.

No. 8.

JOINT RESOLUTION TO RELIEVE R. VAMPILL, TREASURER
OF MARION COUNTY, OF UNCOLLECTED TAXES FOR THE YEAR
1868.

Whereas the books and papers of the Treasurer, R. Vampill, of Marion County, were destroyed by fire on the 28th day of February, 1870, at the town of Marion; and whereas he has no record left of the parties delinquent; therefore,

R. Vampill
released from
collection of
certain taxes.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. Vampill, County Treasurer of Marion, be, and is hereby, relieved from responsibility for the uncollected taxes of 1868, in Marion County, amounting to \$5,664.66, on account of the State, and \$3,215.02, on account of the County. The Auditor of State and Treasurer of the State and the County Commissioners of Marion are hereby authorized and directed to give him full acquittance and release therefor.

Approved March 4, 1872.

No. 9. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER
TO PAY THE SALARY OF THE LATE JUDGE PLATT TO HIS
WIDOW.

Treasurer to
pay Judge
Platt's salary
to Mrs. C.
Platt.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to pay to Mrs. Cornelia Platt, widow of the late Zephaniah Platt, Judge of the Second Circuit of this State, the amount of salary, as Circuit Judge, which would have accrued to the Judge of the said Circuit, from April 24, 1871, the date of the decease of Judge Platt, to September 9, 1871, the date of the qualification of his successor in office.

Approved March 9, 1872.

No. 10. JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF THE STATE OF SOUTH CAROLINA.

Preamble.

Whereas, the Constitution of South Carolina, in Article II, Sec-

tion 11, requires a general election to be held on the third Wednesday in October, in every second year after eighteen hundred and seventy; and, whereas, once in every four years an election is required for Presidential Electors, which takes place the first Tuesday after the first Monday in November; and, whereas, the people of this State are, by these two elections following so closely upon each other, greatly annoyed and inconvenienced, and the industrial interests of the State as greatly disturbed and imperilled; therefore,

A. D. 1872.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of the State be submitted to the qualified electors of the State, at the next general election; and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election, and before another, ratify the same amendment, by yeas and nays, it shall be part of the Constitution, to wit: Strike out all of that portion of Section 11, of Article II, following the words "eighteen hundred and seventy," occurring in the fourth and fifth lines, and insert the following: "And forever thereafter, on the first Tuesday following the first Monday in November, in every second year, in such manner and at such places as the Legislature may provide."

Amendment
to be submit-
ted to quali-
fied voters.

Time of hold-
ing general
elections.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot, with the following words written or printed thereon, "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot, with the following words written or printed thereon, "Constitutional Amendment—No."

Manner of
voting for
amendment.

Approved March 9, 1872.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX.

No. 11.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, in addition to the tax heretofore authorized to be levied, the County Commissioners of Williamsburg County are hereby authorized to levy, and cause to be collected, a special tax of 2 mills on a dollar, the same to be used

Three mills
tax for re-
building jail.

A. D. 1872. exclusively for the purpose of rebuilding the jail in the said County.

Approved March 9, 1872.

No. 12. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PAY TO THE WIDOW OF SOMERFIELD MONTGOMERY TWO HUNDRED AND FIFTY DOLLARS.

Whereas Somerfield Montgomery, late Auditor of Newberry County, died during the last quarter of the fiscal year, and, the salary of such Auditor being unpaid, therefore,

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby authorized and required to pay to the widow of Somerfield Montgomery the salary of such Auditor for the last quarter of the fiscal year, amounting to two hundred and fifty dollars; and that her receipt shall be full and sufficient voucher for the payment of said sum.

Approved March 9, 1872.

No. 13. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTIFICATES ISSUED BY THE GENERAL ASSEMBLY.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby authorized and required to pay the certificates of the members and subordinates of the General Assembly, issued by the Clerks of both Houses, and bearing the signatures of the President of the Senate and Speaker of the House of Representatives, in United States currency, gold or silver coin only. And he is hereby authorized to borrow, on the faith and credit of the State, a sufficient amount to cancel the said certificates.

Approved March 12, 1872.

Treasurer to pay S. Montgomery's salary to his widow.

Treasurer to pay all certificates of members and attaches of the General Assembly.

JOINT RESOLUTION TO AUTHORIZE THE PAYMENT OF COMMISSIONERS AND MANAGERS OF ELECTIONS AT SPECIAL ELECTIONS DURING THE YEAR EIGHTEEN HUNDRED AND SEVENTY-ONE.

A. D. 1872.

No. 14.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Auditor is hereby authorized and required to audit the accounts of the Commissioners and Managers of Elections at special elections held during the year eighteen hundred and seventy-one, in any of the Counties of this State, and thereupon the State Treasurer is hereby authorized and required to pay the same out of any unexpended balance of the appropriation made by Section 4 of the Act of March 7, 1871, entitled "An Act to make appropriation and raise supplies for the fiscal year commencing November 1, 1870," "for deficiency for payment of Commissioners and Managers of Elections, ten thousand dollars."

Payment of
accounts of
Commission-
ers and Mana-
gers of Elec-
tions.

Approved March 12, 1872.

JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER GENERAL TO DRAW WARRANT, IN FAVOR OF C. WERNER, ON THE STATE TREASURER, WHEN CERTAIN REQUIREMENTS ARE FULFILLED.

No. 15.

Whereas a Joint Resolution was passed in 1856, appropriating five thousand dollars towards purchasing the cast iron Palmetto Tree for a monument to the dead of the Palmetto Regiment; and, whereas, on the 20th of December, 1858, another appropriation of one thousand dollars more, as additional compensation, was passed; and, whereas, Mr. C. Werner was only paid four thousand dollars:

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That the Comptroller General be authorized, and is hereby directed, to draw his warrant on the State Treasurer, to the amount of two thousand dollars, in favor of C. Werner: *Provided*, Mr. Werner makes alterations on the panels, as directed by the Commissioner of the State House, as reported by the Committee on the State House, on the 20th of December, 1858. The State Treasurer is hereby authorized and directed to

Treasurer to
pay C. Werner
\$2,000, on cer-
tain condi-
tions.

A. D. 1872. pay upon the order of the said Comptroller General, out of any moneys in the Treasury not otherwise appropriated.

Approved March 12, 1872.

- No. 16. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PAY TO L. S. LANGLEY, LATE SCHOOL COMMISSIONER OF BEAUFORT COUNTY, THE SUM OF ONE HUNDRED AND THIRTY-TWO DOLLARS, (\$132.)

Treasurer to
pay L. S. Lang-
ley \$132.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay to L. S. Langley, late School Commissioner of Beaufort County, the sum of (\$132) one hundred and thirty-two dollars, the same being the amount he advanced on text books, for the use of Free Common Schools in the County aforesaid, out of any funds not otherwise appropriated.

Approved March 13, 1872.

- No. 17. JOINT RESOLUTION TO GRANT A SECTION OF LAND, IN LANCASTER COUNTY, TO THE WIDOW AND MINOR CHILDREN OF ISAAC COWLES.

Preamble.

Whereas Isaac Cowles, a citizen of the County of Lancaster, and State of South Carolina, did enter upon a section of sixty acres of the land of the State, purchased by the Land Commission, and did proceed to acquire a title to the same, by actual settlement and cultivation, and on the terms provided by law; and whereas the said Isaac Cowles was taken from his house, on or about the 25th day of April, 1871, by a band of disguised and armed men, and, while in the peace of the State, was, by them, brutally murdered because of his political opinions, and because he had dared to exercise his civil rights as a loyal citizen of the United States; and whereas the said murder was in pursuance of a system of organized violence, designed to suppress free speech and a free ballot among loyal citizens of the State; and whereas the said Isaac Cowles left a widow and

three minor children, now living and destitute, on said land, and have no means to make payment for the same; therefore,

A. D. 1872.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Secretary of State be, and he is hereby, directed to issue a title to the widow and minor children of Isaac Cowles for the section of State land in the County of Lancaster, located and settled upon by the said Isaac Cowles.

Secretary of
State to issue
title.

Approved March 13, 1872.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO LEVY AND COLLECT AN ADDITIONAL TAX OF TWO MILLS UPON THE DOLLAR.

No. 18.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Abbeville County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of the said County; said tax to be devoted exclusively to the rebuilding of the Court House lately destroyed by fire.

Special tax
of two mills
to rebuild
Court House.

Approved March 13, 1872.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE STATE AUDITOR AND COUNTY COMMISSIONERS TO LEVY CERTAIN TAXES.

No. 19.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Auditor be, and he is hereby, authorized and directed to levy, and cause to be collected, a tax of six (6) mills on a dollar of all taxable property in the State, to meet appropriations for the fiscal year commencing November 1st, 1871; that the State Auditor is hereby authorized

Six mills tax.

A. D. 1872.
Two mills
tax.

and required to levy, in addition to the general State levy, a tax of two mills on all the taxable property in the State, for the support of public schools, which shall be collected at the same time the general State levy is collected, and paid into the Treasury of the State. The same shall be the State School Fund, and shall be kept by the State Treasurer separate and apart from all other funds in his possession, and shall, under no circumstances, be used for other than school purposes. And the County Commissioners of each of the Counties are hereby authorized to levy and cause to be collected, a tax not exceeding three mills on a dollar of all taxable property in their respective Counties, except the County of Fairfield, in which the County Commissioners shall not levy a tax of more than one and one-half ($1\frac{1}{2}$) mills for the fiscal year commencing November 1st, 1871.

Approved March 13, 1872.

No. 20. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO M. E. CARRERE, M. D., AND W. M. WILSON, EXECUTORS OF SAMUEL WILSON, DECEASED, CERTAIN CERTIFICATES OF STATE STOCK.

Preamble. Whereas it appears by the books of the State Treasurer that there has been duly issued certain certificates of State stock, to the amount of three thousand five hundred and sixty-six dollars and sixty-seven cents, (\$3,566.67,) to Samuel Wilson, deceased; and whereas said certificates coming into the hands of said M. E. Carrere, M. D., and W. M. Wilson, as executors as aforesaid of Samuel Wilson, were lost or destroyed at the burning of Columbia, in February, 1865; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to said M. E. Carrere, M. D., and W. M. Wilson, executors as aforesaid of Samuel Wilson, deceased, certificates of stock, of the same amount, payable at the same time, and bearing the same rate of interest as those lost or destroyed; that the said M. E. Carrere, M. D., and W. M. Wilson, executors as aforesaid of Samuel Wilson, deceased, be, and they are hereby, required to deposit with the State Treasurer a bond legally executed

Re-issue of
stock to M. E.
Carrere and
W. M. Wilson.

parties
e bond.

in the penal sum of seven thousand one hundred and thirty-three dollars and thirty-four cents, (\$7,133.34,) to indemnify the State against loss.

A. D. 1872.

Approved March 13, 1872.

JOINT RESOLUTION AUTHORIZING THE COUNTY SCHOOL COMMISSIONER OF UNION COUNTY, S. C., TO APPROVE CERTAIN CLAIMS OF TEACHERS. No. 21.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County School Commissioner of Union County, S. C., be, and the same is hereby, authorized to approve for payment, out of the school fund of said County, the claims of teachers of Union County, for services rendered between the first of January, 1871, and the time when he was appointed to fill the vacancy in said office: *Provided*, That, in his judgment, said claims are just, true and correct, and actually due.

School Commissioner to pay certain claims.

Approved March 13, 1872.

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA. No. 22.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, (two-thirds of both Houses concurring,) That the following Article be submitted to the qualified electors of the State, at the next general election for Representatives, as an amendment to the Constitution of the State, which, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General shall, after such an election, and before another, ratify the same, shall become part of the Constitution, namely:

Proposing amendment to Constitution.

ARTICLE XVI.

To the end that the public debt of South Carolina may not here-

A. D. 1872.

No debt to be created except by two-thirds vote of the people.

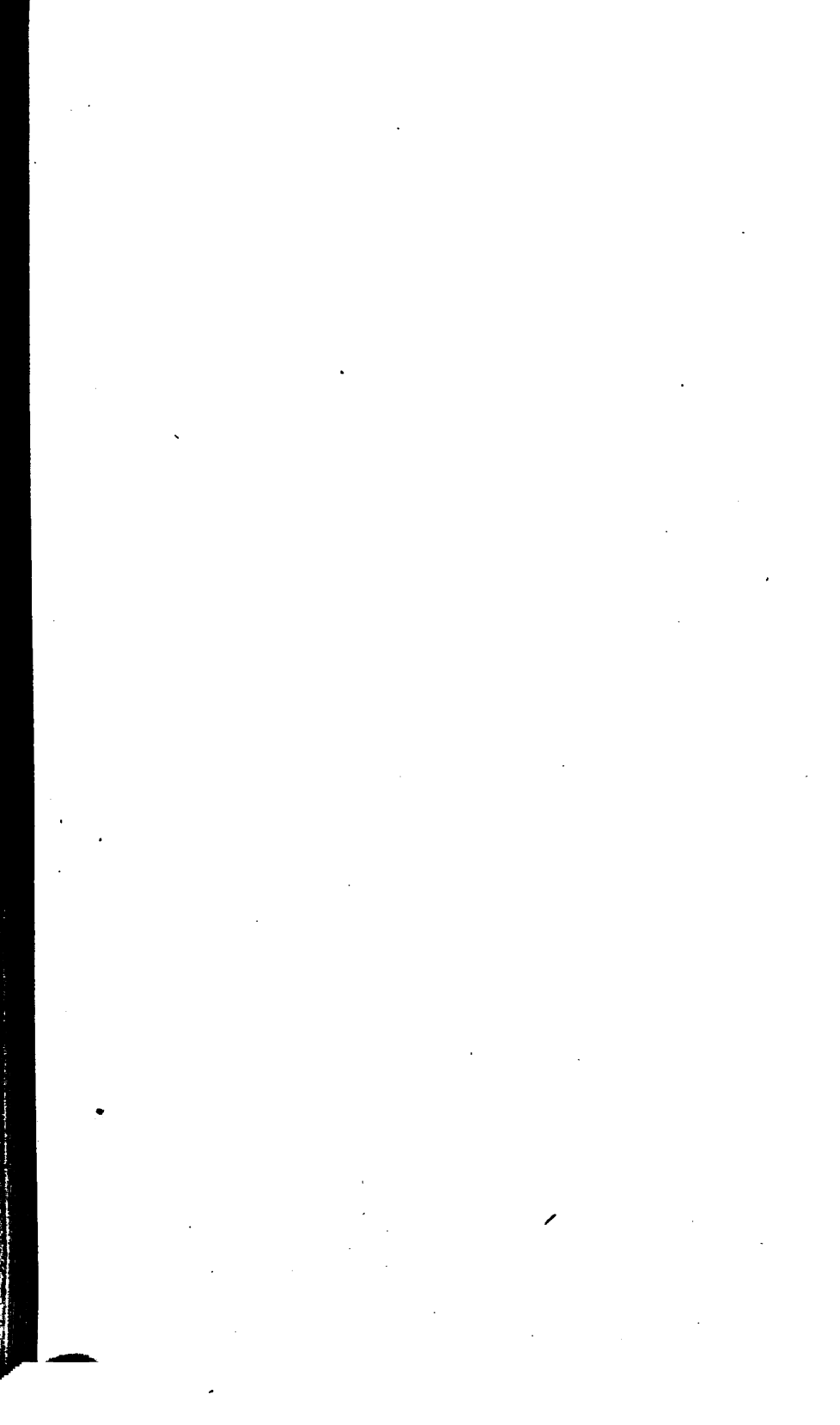
after be increased without the due consideration and free consent of the people of the State, the General Assembly is hereby forbidden to create any further debt or obligation, either by the loan of the credit of the State, by guaranty, endorsement or otherwise, except for the ordinary and current business of the State, without first submitting the question as to the creation of any such new debt, guaranty, endorsement or loan of its credit, to the people of this State, at a general State election; and, unless two-thirds of the qualified voters of this State, voting on the question, shall be in favor of a further debt, guaranty, endorsement or loan of its credit, none such shall be created or made.

Manner of voting for the amendment.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot, with the following words written or printed thereon: "Constitutional Amendment, Article XVI—Yes." Those opposed to the amendment shall cast a ballot, with the following words written or printed thereon: "Constitutional Amendment, Article XVI—No."

Approved March 13, 1872.

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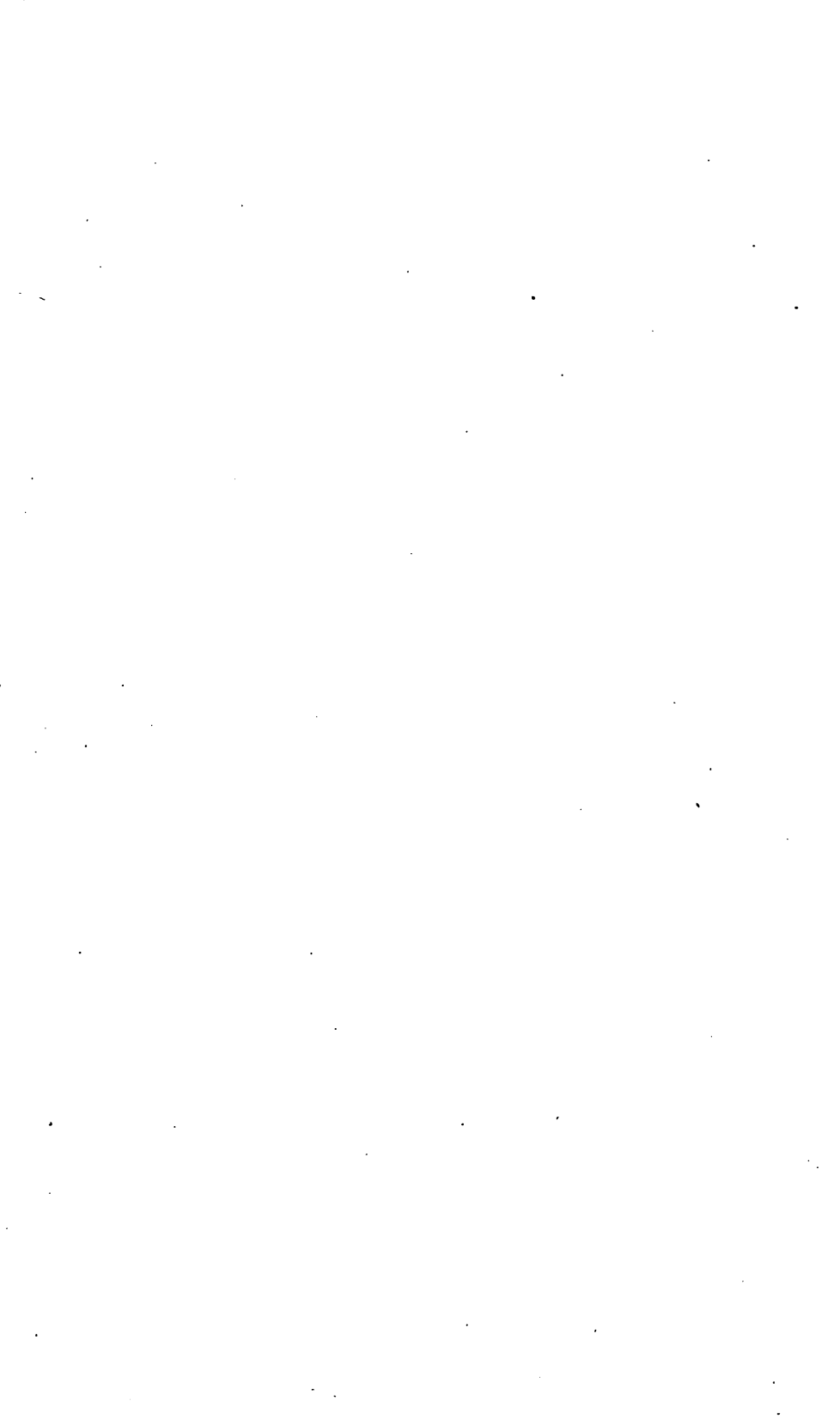
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